[Good Reasons]

Moral certitude and manifold traditions

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This paper presents research into the possibility and nature of moral certitude, given the plurality of moral attitudes and social arrangements present in the contemporary world. Alasdair MacIntyre's universal communitarianism and Karl-Otto Apel's transcendental pragmatic discourse ethics are compared and critically evaluated, with regards to their respective viability for establishing a universal foundation for the formation of normative precepts, specifically those precepts expressing an emancipatory agenda for mankind.

My acknowledgments and sincere thanks must extend to Jan and Marcus, who played - by turns - the good cop and bad cop of this drama, to Peter and Thomas, both of whom proved themselves stellar and unflagging critics, and Jort, whose caffeined company was – and is - absolutely indispensable for innumerable late night bitchfits and rambles.

And final gratitude to my mum, who never once asked "Is it done yet?"

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Introduction

Contemporary society is resoundingly verbose on the importance of ethics and morals, personal standards of conduct and obligations towards others. Immigration reform is a "moral imperative" , asserted Barack Obama in 2011, whereas his predecessor claimed it was a moral imperative to combat an "axis of evil" just ten years earlier.[1] Social debt is "immoral, unjust and illegitimate," pontificated Pope Francis, but so, according to his ministry, is the legalisation of homosexual rights to marry and adopt.[2] Statehood appears to *prima facie* entail rights for self-determination and non-interference, but controversial legislature – such as Russia's 'traditional values' policies – have aroused moral censure and calls for political action within the global community. You will have no trouble guessing that these different principles are at home in different social settings, and their repercussions are felt, more or less keenly, by different people. The precept of the Holy See, for instance, may not apply to myself personally, if I do not believe in a Catholic god – or alternatively - if I do not identify as a homosexual. If I am not American, not a woman, not a Russian, perhaps I will not find the other questions unduly burdensome either. But what are we to do when circumstances require that a decision be made between one moral precept, or another?

On the one hand, communities display rich and intricate conceptions of selfhood, of ethical commitments, of communal traditions, collective responsibility and systems of governance and justice. Through participation within these unique social arrangements we come to develop our particular self identity, to formulate a view on the fundamentally important features of a life well-lived, and to hone our ethical and moral sensibilities. That I understand certain features of the world as being particularly meaningful – say, for instance, my appreciation of artistic practice, or the value of music - I have arrived at because I have been critically engaged in a community with a long and lively tradition of artistic practice and art criticism. But not all cultural values or ethical perspectives will be as superficially innocuous as a belief in the value of art or music[3], and

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[1] Bailey, S. 2011.
[2] SPL Staff. 2013.
[3] There are many instances, however, when both art and music become the subject of moral scrutiny. Such questions plague historical interpretations of art – as is the case with Leni Riefenstahl's films - or with questions concerning religious observance, as is the case with Islamic sects that interpret Quranic scriptures as forbidding Muslim children from attending school music lessons.

frequently, different communities will be brought into heated conflict as they find their beliefs or attitudes to stand irrevocably at a crossroads. Global diaspora, mass displacement, sectarian violence, historical narratives of cruelty, political oppression and environmental crises *en masse* are all strong indicators that criteria for the universal validity of moral principles must be formulated; and that moral precepts themselves derived from this theory may claim to rationally extend beyond the boundaries of a particular community.

When we begin to consider such a project, the first question we must ask concerns the possibility of its potential success: that, is, *just how deep, and how divisive,* are the divides between particular cultural traditions? Do these ideological differences *entirely preclude* the possibility of ever establishing trans-traditional criteria for moral validity? These questions have been unflinchingly taken up by a variety of philosophers, scattered along a spectrum of communitarianism and moral particularism. Communitarianism argues that our best grasp of moral principles comes from recognition of their nascency in particular socio-historical arrangements: as such, the historical narrative of the community itself will become the primarily source of insight into the formation of moral principles. Particularism holds, as a very general motif, that moral principles are problematic in some sense with regards to cases of actual conflicts of morals: as a result, we ought to rethink the role we grant to normative moral principles, or even, at the radical fringes of particularist thought, dispose of the talk of moral principles entirely.

The general position outlined above imply that important features of morality are not, or cannot, be completely captured within theory, and that these idiosyncrasies can only be engaged with through practical participation with particular forms of life. However, if we believe that some experiences, or some principles, or some condition of existence, is both shared by moral individuals as an entirety, *and* that this particular feature either entails or itself contains normative content, then we have become *moral universalists*. A moral universalist holds that morals ought to (and do) express normative principles that can be demonstrably universalised. Because normative precepts are derived from some universal feature of moral agency, all moral agents are obliged - by their very status as moral agents - to adhere to the content of these principles. Hence, when particular individuals deviate from their moral obligations, or infringe on the rights of other agents, we are justified in criticising their actions as running contrary to principles that all individuals are bound to honour. We may say that some acts are not only offensive to us – as a male or female, or a liberal or conservative, or a Christian or Muslim – but that they constitute a *moral wrong*.

Criticism of either camp offered by their opponents is relatively straightforward to grasp: if one opts for the communitarian account of moral thought and behaviour, one must still rationally justify normative principles – principles that are not concerned with how we *do* behave in the present, but how we *ought* to behave in the future. In the practical sphere, the communitarian is tested in confrontation with long-standing community practices that can be exclusionary, brutal, oppressive – in summary, completely non-continuous with an emancipatory commitment to human rights or social diversity. How ought the communitarian respond to such predicaments *without* conceding that some kind of universal moral ontology is required? The moral universalist, in response, grounds their normative principles on a foundation argued to hold for *all* moral agents, regardless of whether or not the agent in question adheres to any particular form of life. Yet because universal moral principles are abstracted away from the substantive fabric of everyday life, they are prone to two criticisms: first, that moral universalists are deluded – that a viable foundation for justification of universal moral principles is just not possible, given the broad variety of extant social practices.[4] The second challenge is that abstracted procedural ideals *may* be possible, but they stand at a fundamental disjuncture with real ethical discourse: the discontinuity between the two prevents any specific derivative normative precepts from ever obtaining in concrete moral conflict.

On a practical level, the general division between universalism and communitarianism affects how morally concerned individuals approach moral conflict between cultures: to begin with, whether or not we subscribe to the communitarian or the universalist position will affect how we approach the facets of concrete conflict between political and ideological opponents. It will flavour our beliefs regarding the moral status of controversial practices abroad, as well as the ones we find within in our own society. Questions regarding the moral legitimacy of the institution of the death penalty, freedom of religious practices, the permissibility of indigenous custom law and punishment, the criminalisation of homo- and trans-sexuality, the continuation of caste societies, as well as the actualisation of rights of woman, ethnic minorities, children and other historically vulnerable individuals, amongst many other debates, are all influenced by whether or not we believe that morality ultimately expresses one moral standard, or many. In all these cases, the stakes are high, incredibly high: the acts themselves may represent a laudable assertion of cultural autonomy and diversity – alternatively, they may stand as morally condemnable practices. Do we have a moral obligation to leave these practices as we find them, or are we morally obligated to speak out against practices we believe fundamentally wrong? We may be informed by politics or laws, when considering these cases, but neither the political nor the legal sphere can

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[4] Striving for ultimate, unshakeable certainty in the foundations of knowledge, in Rorty's words, "…is not only futile, but, at worst, the sign of a metaphysically debilitated mind." Mendieta, E. 2002. p.150.

speak for us. Broad swathes of ethics today challenge the legitimacy of international interventions, the content and nature of human rights or policies of political non-interference or paternalism in morally contentious situations.

On a methodological level, whether or not we subscribe to a form of communitarianism or universalism will also affect what we perceive as the role of the philosopher and the ethicist, particularly with regards to the fields of anthropology, psychology, sociology and politics. If philosophy stands apart from these projects in these spheres, it is on the basis of criticism: philosophy offers rational critiques of the states of affairs in which these other sciences are necessarily immersed. If this is so, the primary – and distinguishing – feature of philosophy is its critical capacity. Philosophers offer rational criticism, and their purpose is to ruthlessly lay bare the inconstancies and inconsistencies they perceive in all quarters, granting no special dispensation for their own beliefs any more than they would to another. Yet in spite – or perhaps because of – this commitment, philosophers amongst themselves are almost always in a perpetual state of disagreement regarding what is true and rationally justified, even and especially with regards to fundamental questions regarding the possibility and nature of truth and rational justification.[5] So perhaps we ought to abandon such protracted academic wrangles before they strangle us completely, and instead bring philosophy into a closer alignment with descriptive projects of concrete ethical practices. If this is the case, Elizabeth Anscombe would be right to call for a postponement of normative moral theories until we have 'worked out' the psychological foundations presupposed by these theories: whether or not, for instance, humans are really capable of rational behaviour in the sense demanded by deontological theories, for instance.[6] Philosophers that find themselves fording these particular rivers are far more consciously oriented towards projects of understanding and of mediation between real individuals. Philosophy in this second instance is best conceived of the quest for wisdom won from experience, and has a far closer alignment with the creative practice of poetry, rather than the analytic practice of science. If this is indeed the case, Rorty would be correct to laud that "reason can only follow paths that the imagination has first broken".[7]

Despite their substantial differences touched on above, we ought to recognise that universalism and communitarian share a common goal: to articulate the grounds on which an individual may think in a way that is not entirely defined by the immediate social and cultural precepts of the place they grew up, the country they live in or the people they share their lives with. Further, we are not constrained to crudely and baselessly choose

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[5] MacIntyre, A. 2009.
[6] Anscombe, E. 1958. p.1.
[7] Rorty, R. 2007.

between an aporia of universalism *or* communitarianism. Rather, if instead we formulate the debates above as particular facets of a more general question: *how* ought a moral thinker go about rationally transcending the facticity of their immediate normative perspective, we can approach these kinds of questions with a far greater sensitivity and appreciation for the precise problems and solutions that particular theorists advance. This thesis follows this latter course, and the specific questions it investigates are situated within a general discourse regarding the possibility of normative moral universalism to obtain within a facticity ethical and moral pluralism.

The two philosophers presented in this paper - Alasdair MacIntyre (1929 -) and Karl-Otto Apel (1922 -) – have both identified the communitarian/universalist dyad, and the corresponding question of moral truth and moral justification, as the most important challenge to the possibility of moral discourse in modernity. Subsequently, both MacIntyre and Apel have formulated positions that are intended to transcend this dyadic opposition. MacIntyre argues that a communitarian *can* formulate legitimate moral precepts that transcend particular cultural mores, but only in engagement with other historically particular cultures. Apel submits that particular forms of life are themselves derivative of a universal foundation in discourse, and that this foundation contains undeniable moral content, holding *a priori* for all cultures, whether these cultures recognise these norms or not. Two research questions are posed: can Alasdair MacIntyre plausibly resolve the tension between a communitarian moral perspective and moral universalism? And, if he cannot, is Apelian discourse ethics a theory superior to MacIntyre's Second First Language Thesis?

MacIntyre defends a strong narrative communitarian position: that moral agents assume and fulfil a variety of formative and non-optional social roles. Conflict occurs when two agents try to communicate across divergent traditions, or when one agent faces the dilemma of fulfilling two conflicting social duties. MacIntyre poses the apparatus of the Second First Language Thesis as the conceptual process through which rival traditions can engage each other in rational conflict. The Second First Language Thesis posits that 'bi-lingual' moral agents – agents fluent in two conflicting traditions – have the capacity to rationally resolve moral conflict, and that their synthesis of conflicting value systems is an example of genuine transcendence of the individual beyond their immediate culture. Hence, because all moral conflict can be - in theory - resolved rationally though fulfilling the criteria of the Second First Language Thesis, moral discourse does not collapse into normative relativism by accepting that a plurality of moral truths stem from a plurality of moral rationalities. However, I charge that the Second First Language Thesis is not, and cannot be, compatible with MacIntyre's previous commitments of moral particularism.

Over the course of my research, I developed a secondary, refined thesis: MacIntyre's system is incoherent because it does not account for a key aspect of communication in human societies: that of the pragmatic presuppositions of the communicator *qua* communicator. The second half of this thesis critically explores Apel's assertion that all communicators brought into argument *necessarily* aim at the establishment of intersubjective consensus, and that this intersubjective consensus is the criteria for universal moral certitude. Discourse ethics is Apel subsequent project to formulate the procedural and normative principles that are entailed from a moral interlocutor's recognition of the necessary presuppositions of communication. In the final chapter, I question whether discourse ethics itself is 'the real deal' - can it redeem its own claim to rationally formulate a moral universalism *as well as* responding to charges of moral abstractness? In answer to this, I find mixed results.

Alongside MacIntyre and Apel, I also submit that personal and social narrative identities are important, but problematic, aspects of moral discourse in modern divergent communities, and that moral reflection must begin with a reflection on the conditions for the possibility of rational moral discourse. For many (but not all[8]) moral agents, their own connectedness with their personal history, their social identity and their distinct relationships constitute an intimate and fundamental aspect of their moral agency: that is, their responsibility towards other individuals, and the rights they enjoy in return, are a result of real relationships that unfold in real communities. An exploration of ones moral agency only begins when a person reflects on their particular commitments, and challenges themselves to articulate a rational justification that expresses why these particular commitments are valid ones to hold, in distinction to other competing set of principles.

Finally, Alasdair MacIntyre and Karl-Otto Apel are concerned with answering a common question: "Why not normative relativism?" Normative relativism denies the existence of any universally binding moral precept or rational criteria for moral justification and hence, *because of this*, one cannot rationally criticise other moral positions, or proscribe or condemn their values.[9] Contrary to normative relativism, MacIntyre and Apel both advocate that rational discourse *can* assert and redeem criticism against competing perspectives: i.e. we *can* rationally claim that one position *presents us with a better option than another*. However, for MacIntyre, rational discourse will always ultimately express the substantive principles of that particular 'tradition of rationality', whereas for Apel, rational discourse consists of adherence to a specific program of moral proceduralism. It must be noted that MacIntyre's communitarianism makes the issue of normative relativism a substantial challenge to

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[8] Strawson, G. 2004. p.429.
[9] Swoyer, C. 2010.

his system, whilst Apel's strong commitment to moral proceduralism results in significant ambiguity with regards to how hermeneutic/interpretative dialogue ought to proceed as discourse ethics is applied to real conflict.

The form, scope and content of rational discourse, as it developed in these two conflicting accounts, determine how an agent can come to transcend the limitations of their own historical specificity. Few theorists advocate unbridled normative relativism, and a critical evaluation of the position is not the focus of this work.[10] Instead, I present two theorists who present arguments for the refutation of normative relativism whilst also affirming a conception of historical-descriptive relativism. In doing so, I endeavour to establish and apply the evaluative criteria that marks discourse ethics as ultimately producing a more plausible and nuanced relationship between these distinct values.

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[10] See Swoyer, C. 2010. for an introductory oversight of numerous relativist positions.

Chapter I: Social Identity and Rational Intelligibility – Understanding MacIntyre's Communitarianism

Interminable wrangles over morally charged debates seem all but inevitable in the modern world. The triumphs of human endeavour over distance and language in the realms of education and technology have revealed a disquieting sentiment: the closer we draw together as a human community, the more invidiously acrimony divides us on crucial issues. Paradigmatic examples are questions concerning the nature of justice. Several different and incommensurable values that ought to govern the dispensation of justice are posited by different theories of justice. The theory applied has both a direct outcome on concrete questions – e.g. "Should the law enforce a policy of positive discrimination?" – as well as 'trickle down effect' over time that influences the nature of social relationships, the distribution of power, and the interests expressed by individuals within the community. Questions of justice therefore, have high stakes riding on their outcome. And systems of justice can only be found just if the distinctions they make between individuals are rational, not arbitrary, divisions. But we are faced with not one rational conclusion, but several logically coherent systems, each founded on rival and incommensurable premises. How then, are demanding problems, such as questions of justice, to be approached, weighed and resolved?

Alasdair MacIntyre, commenting on this phenomenon, concludes "There seems to be no rational way of securing moral agreement in our culture"[11], even on the most apparently self-evident of topics. The questions that are the most urgent to answer – such as distinguishing between just and unjust interferences in other countries – are marked by their "interminable character."[12] These debates do not just "go on and on and on – although they do – but they also apparently can find no terminus."[13] The longer these kinds of topics are argued over – in schools, on television, in blogs, in legislative debate, between generations, between family members, friends and co-workers – the shriller the tone becomes. Every reader holds one memory of a moral argument they have entered into, and left with the distinct impression that no new ground has been gained, no matter rationally settled, no course of action unanimously approved, no participant less entrenched in their own moral

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[11] MacIntyre, A. 1985. p.11
[12] MacIntyre, A. 1985. p.6
[13] MacIntyre, A. 1985. p.6

perspective than at the conception. "From our rival conclusions we can argue back to our rival premises", MacIntyre notes, "but when we do arrive at our premises argument ceases and the invocation of one premise against another becomes a matter of pure assertion and counter-assertion."[14]

As a matter of course, several of these debates do find resolution: but their conclusions are overwhelming dictated by strategic contingent reasons. I might accede to your point of view because you are a source of authority – a parent or community leader, for instance. Perhaps I might be cowed by your use of big words, or I have come to believe that any resolution is better than none at all. Perhaps we have both shifted from a debate of morals to a forum of negotiation and bargaining. The above scenarios are all examples where the agent involved has motivation to accept another perspective, such as when they acquiesce to legal or political decisions that do not reflect their own beliefs. In these cases their individual preferences and desires are presumably fulfilled by acceding to the authority of another point of view without necessarily internalising that attitude themselves. However, the *moral debate* has not been concluded through either argument fulfilling impersonal, objective criteria – the kind of demands that universal moral precepts require to validate their application.[15] The appeal to universality marks moral invocations as different from other sorts of invocations: invocations, for instance, that requires a further goal to be elected by the interlocutors.[16] The perspective that no such universal standards exist and because of this fact, moral claims really express our personal preferences, attitudes, feelings and revulsions, is known as emotivism.[17] If this is so, moral claims such as "This is good" transmute into substantially weaker and non-rational assertions: "I approve of this; do so as well" or "Yay for this!"[18] These personal preferences must be accepted as an expression on behalf of the individual; unlike factual statements, their expressed content can neither be proven nor disproven.[19] Yet neither can they possess some extension that would make their observance imperative to a different individual. By this explanation, my admonishment of your unjust act carries no more rational weight than my desire that you also find the colour orange attractive, or dislike the taste of herring, as I happen to do.

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[14] MacIntyre, A. 1985. p.8
[15] MacIntyre, A. 1985. Pp.9 – 11.
[16] These other conditional imperatives are typically distinguished by an IF… THEN… formulation. *If* you want to graduate, *then* you ought to fulfil all the graduation criteria. Normative moral imperatives are non-optional. They do not begin aspirationally: '*If* you want to be a moral agent…' You simply are, or are not, a moral agent, and your corresponding moral responsibilities are derived from your inalienable capacity to be moral *in potentia*. This distinction is credited to Immanuel Kant, and has served as one of the foundational cornerstones of moral discourse to the present day. Gert, B. 2012.
[17] MacIntyre, A. 1985. p.12.
[18] van Roojen, M. 2012.
[19] Ayer, A. J. 1936. p.146. & van Roojen, M. 2012.

MacIntyre rejects emotivism as an evaluation of moral discourse. He does so not out a desperate desire to salvage moral discourse, but because theories of emotivism themselves are prone to several discrepancies.[20] Instead, MacIntyre asks what conditions have fostered the propagation of emotivism as a superficially attractive theory, and what these findings illuminate with regards to the nature of moral discourse in general. His response is unpacked in the remainder of Chapter I.

MacIntyre makes the claim that the surge in moral emotivism is only one of the symptoms of an underlying crisis: (i) that of the fragmentation of modern moral discourse. Further, (ii) this fragmentation was inevitable, and has been so for centuries. Finally, (iii) the interminable and unpalatable nature of modern moral discourse has a specific cause. It is the product of the philosophical project of the Enlightenment. To break these claims down, I will begin with (iii) MacIntyre's assessment of the Enlightenment, and work forwards towards (ii) and (i) to explain how he argues that the aspirations of its key scholars fostered the present predicaments.[21]

The Enlightenment is the broad term for a period of progress and radical re-evaluation in several fields of human endeavour. Beginning in the 17th century, a distinctive project came to occupy broad swathes of intellectual discourse: the abolition of superstition and irrationality in favour of knowledge gained through reason, rationality and the employment of the scientific method.[22] In striving for rational clarity of thought, Enlightenment theorists participated in a critical process, unravelling the contents of religious and political dictates from the institutions that promoted or enforced their observance within society. As a result, "in that historical period – dated from 1630 to 1850 – […] 'morality' became the name for that particular sphere in which rules of conduct which are neither theological nor legal nor aesthetic are allowed a cultural space of their own."[23] This cultural space was not bare – it came furnished with considerable pre-existing moral content that is still pertinent to many moral theories today. Concepts of 'fairness' and 'rightness' did not cease to exert authority once extracted from their parochial dogmatism. Rather, the task of formulating their objective foundation began, in order that any rational moral agent could come to a precise grasp of the normative principles that would ensure fair, right and just treatment of all moral beings.[24]

Hence, MacIntyre charges that moral discourse in the Enlightenment was founded on one central supposition: that one universal set of rational criteria was both possible and desirable. These criteria would be

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[20] For a criticism of emotivism see Ross, W. D. 1939. and Urmson, J. 1968.
[21] MacIntyre, A. 1985. p.39.
[22] Kant, I. 1784., Gregor, M. J. (trans.) 1996.
[23] MacIntyre, A. 1985. p.39.
[24] Israel, J. 2001. Pp. 59 - 60.

ahistorical, in that their authority is not dependent upon their addressee's cultural or historical identity. Its derivation and exercise could be reached only, but entirely, through the cultivation of one's capacity for reason, or alternatively, through recognition of a relevant and inalienable facet of human nature. The possession of either of the preceding distinguished a moral agent from other living beings. The system founded on the basis of this undeniable criterion would logically entail the principles we require to arbitrate between our competing desires, impulses, passions, inclinations and beliefs. It would give primacy to those marked as moral because these principles are universally and absolutely binding.[25]

So, Enlightenment thinkers shared substantial overlap concerning what the contents of morality ought to be[26] and concerning the broad criteria for moral validity, despite substantial differences in their comparative moral theories. However, this new moral discourse did not account for a crucial aspect of religious ethics whose content would be transformed into moral precepts: the intended goal, or *telos,* that observance of ethical precepts was directed towards – otherwise known as the ultimate "good for mankind"[27]. Within a divine frame, man-as-he-is is a fallen, imperfect creature, far from the superior reflection and instantiation of God's divinity that is Man-as-he-could-be. This latter conception is the telos – a perfected state that moral precepts oriented themselves towards attaining. And hence, this transformation could only be brought about by ethical observance of God's divine precepts. "But the joint effect of the secular rejection of both Protestant and Catholic theology and the scientific and philosophical rejection of Aristotelianism was to eliminate any notion of man-as-he-could-be-if-he-realised-his-telos."[28] MacIntyre observes. This indelibly corrupted the triadic composition of 'from nature → through ethics → to telos'. Abandoning an aspirational and non-optional end state of human nature to guide ethical development leaves only ethics and untutored human nature. Enlightenment attempts to derive a universal ethics from a rational human nature - but ethics were originally part of a greater ontology where ethics were not derived from, but the directive to transform, human nature: "There is on one hand certain content for morality: a set of injunctions deprived of their teleological context. There is on the other had a certain view of untutored-human-nature-as-it-is. Since the moral injunctions were originally at home in a scheme in which their purpose was to correct, improve and educate that human nature, they are clearly not going to be such as could be deduced from true statements about human nature or justified in some other way by appealing to its

[25] MacIntyre, A. 1985. Pp. 48 – 49.
[26] Consider, for instance, the numerous justifications given for the assumption of the Golden Rule ('That one ought to treat others as one would like to be treated by others in turn.')
[27] Kuna, M. 2005. p.256 & MacIntyre, A. 1985. p.55.
[28] MacIntyre, A. 1985. p.55

characteristics."[29] This is, for those at sea, reformulated by MacIntyre as a conclusion more in line with the problems of modern moral discourse discussed above: "In a world of secular rationality, religion could no longer provide such a shared background and foundation for moral discourse and action; and the failure of philosophy to provide what religion could no longer furnish was an important cause of philosophy losing its central cultural role and becoming a marginal, narrowly academic subject."[30]

MacIntyre charges the central tragedy of moral discourse is not that it has not yet lived up to its Enlightenment aspirations; but rather, that its fundamental structure within modernity precludes it from ever doing so. However, contemporary moral thinkers that do not recognise the central dilemma of moral discourse posed by MacIntyre above continue to propagate what he calls the "Myth of the Enlightenment" – that one perfect, rational basis can and must be shared by all moral interlocutors.[31] MacIntyre charges that the Myth of the Enlightenment propagates the common treatment of normative moral theories as detached from the specific socio-historical milieu that contributed to their production.[32]

"One obstacle to [genuine moral discourse] has been the persistently unhistorical treatment of moral philosophy by contemporary philosophers in both the writing about and teaching of the subject. We all too often still treat the moral philosophers of the past as contributors to a single debate with a relatively unvarying subject matter, treating Plato and Hume and Mill as contemporaries both of ourselves and of each other. This leads to an abstraction of these writers from the cultural and social milieus in which they lived and thought and so the history of their thought acquires a false independence from the rest of the culture. Kant ceases to be part of the history of Prussia, Hume is no longer a Scotsman."[33]

What MacIntyre refers to as the 'fragmentation of philosophy' is division of theory from the conceptual structures and wider socio-historical influences present at its conception. He understands conceptual structures as those underlying features of philosophical enquiry that all individuals within a community had some common understanding of: common standards of intellectual critical appraisal as well as intuitive 'know how' expertise cultivated through social interactions beginning in childhood. These conceptual structures are termed by MacIntyre as 'traditions' and they are substantially explored in the sections below. His normative claim is that only an understanding of the telos encapsulated by the observance of these historically unique social structures

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[29] MacIntyre, A. 1985. p.55
[30] MacIntyre, A. 1985. p.50
[31] Graham, G. 1994. p.163
[32] MacIntyre, A. 1985. p. 387
[33] MacIntyre, A. 1985. p.11

can rectify the fragmentation of moral discourse. A grasp of the intellectual milieu of the times is imperative in order to assess the work of Hume and Plato and Mill, but it is also essential in order to better grasp our own moral perspective. In order to unpack this latter controversial claim, I first extrapolate its contents (i), and then assess what support MacIntyre has garnered for this claim in the work of contemporary ethicists (ii), specifically in the fields under the rubric Applied Ethics.

In *After Virtue* (1981, 2nd ed. 1985) and *Whose Justice, Which Rationality?* (1988) MacIntyre directed his efforts towards demonstrating that philosophy in ignorance of the formative historical processes that have shaped it undermines the fertility of contemporary philosophical discourse. He demonstrates this by narrating how systemic and problematic features encountered in discourse can be traced back to their origins in conceptual schemes of the philosophical Enlightenment. But what then ought we to do? How should philosophy proceed, if it is not to continue contributing to its own disorderly decline? There are several remedial steps that MacIntyre emphasises as both urgent and necessary. His initial positive claim is that the richer historical contexts – collectively termed 'traditions' – have a relevant and prominent role to play in moral debate. This historical context includes 'non-moral particularities': these particularities include, but are not limited to, extant theories of moral psychology, assumed structures of discourse, communal ethics, historical events and scientific developments.[34] The moral agent holds a pre-theoretic commitment to their first tradition, insofar as they cannot 'choose' to enter into a tradition at will from a contextual-less vacuum. Because they cannot negate their initial contextualised standpoint, MacIntyre encourages moral agents to instead interpret their personal identity and ethics as an ongoing narrative, with many moral interlocutors all influencing, and being influenced by, the greater tradition that provides the conceptual apparatus for the coherency and plausibility of their story. The next two sections below unpack MacIntyre's historical narrativism by addressing two questions: What is a tradition, as MacIntyre employs the term? And why ought one to think that contemporary normative – and not just historical descriptive - moral discourse begins with narrative?

So far, MacIntyre has made two claims: 1) The present interminable and unfulfilling moral debate of today's discourse has a historical conception that we can divine through 'retelling the story' of the conditions under which that discourse developed. Added to this is a second normative claim: 2) We ought to adopt historical narrative as form of moral discourse, in order to make meaningful moral progress in the present, when discussing cases of unresolved moral conflict. One can accept the first claim without also automatically accepting the second: for instance, by affirming that history is best understood as a narrative, but denying that

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[34]Anscombe, E. 1958. & MacIntyre, A. 1985. p.11.

these narratives have any relevance whatsoever on what we should do in the future .[35] Yet – as MacIntyre asserts - by precluding identity and narrative from moral discourse, we are led into 'dead-ends' when we try to express the relationship between abstract moral theory and extant moral communities.[36] Margaret Little eloquently expresses how concrete relationships in the real community mediate and adjudicate a broad range of general moral principles and values: "The broad moral claims we make are usually riddled with exceptions […] Pain is bad, well, except when it's constitutive of athletic challenge; intentionally telling a falsehood is prima facie wrong – well, but not when done to Nazi guards, to whom the truth is not owed, or when playing the game Diplomacy. Pleasure always counts in favour of a situation – well, except when it's the sadists delight in her victim's agony, where her pleasure is precisely what is wrong with the situation, not its 'moral silver lining'"[37] What Margaret Little so eloquently elaborates is the precise fact that, for every moral principle we apply, more and more conditional exceptions are generated by its application to concrete cases.[38] The simplicity of moral principles and moral theory – we are led to conclude – is apparent only in their abstract form.

As Little argues, reasons for behaving a certain way, or valuing certain goods, can come from several sources and a grasp of these moral particularities is both necessary to make an assessment of the case at hand, and, as we shall see, impossible to grasp through theory in isolation. Rob Lawlor, of the University of Leeds, expresses the consequences of ignoring this latter concern: an overemphasis of theory in the training of applied ethicists undermines the development of moral sophistication and moral perceptiveness.

"If students gain the impression that the way [to perform] applied ethics is to apply a moral theory to a particular case, there is a worry that this could lead to a particularly crude form of relativism, where students take the answers to ethical questions to be relative to moral theories, such that they think the idea is to pick a moral theory and then simply follow it to its conclusions. Clearly this would suggest that there is no right answer, rather, it just depends on your starting point. A Kantian will say "x" and a consequentialist will say "y". There is no right answer. You just decide whether you want to be a Kantian or a consequentialist."[39]

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[35] Galen Strawson attributes this position to Satre's protagonist Antoine Roquentin from *La Nausée*. Strawson, G. 2004. p.429.
[36] Kuna, M. 2005. Pp. 251 – 252.
[37] Little, M. 2001. p.34.
[38] Little, M. 2001. Pp. 34 - 36.
[39] Lawlor, R. 2007. p.371.

What Lawlor outlines above is the kind of moral reasoning that MacIntyre wishes to avoid, for the problematic and barren discourse it produces. However, Lawlor's concern is not only the infertile aspect of this moral debate, but that it misses a central component of moral discourse: that of moral sensitivity. In concrete situations, sensitivity, phronesis, moral perceptiveness, intuition and moral sentiment[40] are prized commodities – their possession marks an exceptionally wise, creative individual, their lack indicates a maladjusted one, such as the abnormal socialisation that distinguishes psychopathy.[41] However, moral sensitivity requires engagement with precisely the pre-theoretical elements of moral thought that individuate us from one another: a person situated as I am, with my capacities, and my obligations would act as I have, and accept my reasons for doing so as just. Casuists Albert Jonson and Stephen Toulmin note that social experiences teach us a majority of moral lessons, and so the content of our personal moral reflection refers to "actual events, agents, and objects, particular circumstances, and specific times and places."[42] Because the situated nature of the moral agent is crucial to their moral development and orientation, the person who has become particularly morally perceptive and adept understands that concrete social relations influence the scope and application of their moral principles, without undermining the overall coherency or legitimacy of the principles themselves: "the same experience that teaches what is normally the case at any time also teaches what is the case only sometimes."[43] It is this kind of situated experience that helps us determine, as Little points out, when and how our moral duties ought to be enacted. This kind of moral apprehension - of motivations, aspirations, causal links, and personal identity – is the work of a narrative. If we accept that contextual social identities have an unavoidable role to play within moral discourse – and both MacIntyre and Apel[44] and many others do - then we must ask what, according to MacIntyre, the contents of this situated identity narrative ought to be, and the extent to which one has personal authorship over it. Within the scope of narrativism, different narrativists will argue for different, though overlapping, answers. MacIntyre, as a historical narrativist, argues that the nature of traditions themselves determines, almost to an overwhelming extent, the content of a moral narrative. Hence, moral agents unaware of

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[40] Though not always referring to identical concepts, these elements of moral discourse share interrelating facets: that their application to a dilemma is not *prima facie* directed by a greater moral scheme, that the agent possess some above average skills of perception and creativity and that these skills enable them to reorganise the apparent elements of discourse in order to acquire new knowledge or insight into the problem itself. Henceforth, I adopt the term moral sensitivity unless specifically referring to the work of another author.
[41] Sinnott-Armstrong, W. in interview with Saunders, A. 2011.
[42] Jonson, A & Toulmin, S. 1992. Pp. 25 - 26.
[43] Jonson, A & Toulmin, S. 1992. Pp. 25 - 26.
[44] The differences between Karl-Otto Apel and Alasdair MacIntyre are substantially, specifically, and critically examined in this paper, beginning in Chapters III and IV. However, they are linked, as I indicated in the introduction by commitment to two claims: (i) That moral agents have *no choice* but to begin their moral reflection and discourse from within the rubric of their own community and that (ii) it *is possible* for a moral agent to rationally move beyond the extant boundaries of this community.

their participation within a tradition will have very little authorship over their own moral story, even if they believe otherwise, as Lawlor's student may have misguidedly concluded.

So far, I have explored the idea that narratives are an important but underrepresent facet of moral discourse. In them, we can express both principles as well as the kind of non-moral shared cultural and conceptual particularities that MacIntyre presses to explicitly include in the moral realm. However, the expression of moral situations within a community is not enough: moral discourse also requires an explication of the communal telos by which a community coherently distinguishes between moral and non-moral actions. An understanding of the telos that guides a particular community can only be grasped through substantial comprehension of the conceptual capital of that society – their intellectual and social tradition. The simplest sense of a tradition can be apprehended as the shared understandings that hold between members of a community, both as a shared historical identity and an intersubjective linguistic-semantic nexus. More specifically, these shared understanding are constituted by (i) extant institutions that reflect (ii) a general orientation of all community members towards some shared conception of a final good as well as (iii) an ongoing argument of what ought to comprise this good, an argument that is conducted in terms of (iv) shared standards of rationality and justification that are accepted by the adherents of the tradition itself. Further, all traditions argued by MacIntyre to be incommensurable, and so cannot be 'weighed' against one another from an objective standpoint. What the incommensurability of traditions entails is discussed critically in Chapter II. An example of a tradition is given in MacIntyre's critique of liberalism. MacIntyre's criticism of contemporary moral discourse of the West is not that it is actually divorced from a particular conceptual tradition, but rather, that it incorrectly presents itself as so. Yet liberalism implicitly appeals to what Charles Taylor terms 'hypergoods': impersonal and overriding goods of universal justice, benevolence and freedom.[45,46] All liberal interlocutors already ascribe to these goods, and so the tradition of liberalism cannot be reconciled with 'pre-modern' (or non-liberal) discourse critical of these values. MacIntyre concludes that liberalism is the paradigm of a 'tradition without a tradition', where historically specific conceptions of rationality are implicitly drawn upon in moral discourse, but rarely made explicit in morally contested cases where two incommensurable traditions (say, liberal and non-liberal) each justify a different course of action.

MacIntyre's conception of traditions-as-institutions and traditions-as-embodying-a-communal-telos are the simplest to understand, because they are the closest in sense to the ordinary understanding of the concept of a

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[45] As MacIntyre puts it, liberalism's "principles are not neutral with respect to rival and conflicting theories of the good … they are always liberal starting points". MacIntyre's critique of liberalism is treated, for the purpose of this paper, a corollary of his prior claim of the primacy of traditions. MacIntyre, A. 1985. p.345.
[46] DeSouza, N. 1998. p.64.

tradition as some kind of established custom, such as rules of social etiquette or the rituals associated with religious observance. These are, more technically, the institutions of a tradition – the observable behaviour that expresses the endorsement of its adherents to a common understanding of the nature of good.[47] However, in limiting a tradition only to this superficial reading of rituals and belief artificially curtails the depth and pervasive influence of traditions. For instance, overt patriotic fervour is part of the national identity of the United States. It comes in many guises – flag waving, the pledge of allegiance, the songs of Bruce Springsteen, bumper sticker slogans and so on. These are the institutions of the tradition – specifically, institutions that point towards a particular facet of the American telos: that of American exceptionalism, which itself is a value with multifarious connections to other political, social and religious values. The salient point to understand is that the particular acts of expressing this value become hollow curiosities when they are divided from the conceptual tradition that grant them their motivation and interpretation. Such a narrow reading of tradition also contributes to a false reading of traditions by painting a picture of quaint traditions kept alive only by the irrational and ideological commitment of a dedicated few.[48] This static image of traditions makes the commitment of their adherents too simple to dismiss in moral debate, by presupposing a contrast of tradition to an objective rationality, whereby rationality always trumps.[49] MacIntyre makes the point with force: the real division is not a divide between tradition and rationality, but divides between different traditions, each of which posit their own rational criteria, each criteria directed towards the actualisation of some overall shared conception of good.

This last point regarding rationality as subordinate to tradition cuts to the heart of MacIntyre's communitarian commitments. All moral agents may have the ideal capacity to behave as rational agents, but this claim stands as a rhetoric tautology until we ask what 'acting in accordance with rationality' could mean in a substantive sense. As soon as we do so, we find that the reasons to act rationally are, in the communitarian schema, always 'end –driven', and that further, there always exists a multiplicity of ends. A community is defined by their communal acceptance of a particular telos as well as the accepted critical standards (also termed a 'tradition-constituted rationality') that enable them to progress from their current situation towards their ideal community. The limits of a community are the boundaries at which individuals no longer share the substantive vision of the common good, or utilise the connected rational apparatus to analyse what course of action they ought to take in conflicted cases. Hence, when a person uncritically appeals to 'rationality' as a contextually free

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[47] Kuna, M. 2005. p.256.

[48] "We are apt to be misled here by the ideological uses to which the concept of a tradition has been put by conservative political theorists. Characteristically such theorists have followed Burke in contrasting tradition with reason and the stability of tradition with conflict. […]Traditions, when vital, embody continuities of conflict. Indeed when a tradition becomes Burkean, it is always dying or dead." MacIntyre, A. 1985. p.221.

[49] MacIntyre, A. 1985. Pp. 221 – 222.

term in discourse, they have not transcended tradition, but are in ignorance of the loaded nature of the term itself. The proliferate nature of rationality – as a panorama of populated and overlapping standards of rationalities - is one of the products of taking MacIntyre's position of historical narrativism seriously.

Previously I have identified that all traditions can be distinguished by their particular ethos – an attitude shaped by the specific time, place and set of historical circumstances of their development. MacIntyre's contention is that we cannot 'step outside' of tradition, because our engagement within a particular tradition is the necessary 'frame' through which we understand objects and events as meaningful.[50] Hence, traditions establish the standards of rationality that make justifications coherent to interlocutors of the same community and supply them with the critical framework necessary to engage with other adherents within the tradition itself. On the basis of these presuppositions, MacIntyre concludes that discourse can never be disengaged from the conceptual superstructures of tradition. Discourse will always be conducted in a particular language tradition, expressing content that only those naturalised to its use will be able to successfully interpret. Hence, insofar as moral agents wish to make themselves understood in discourse, they must express their arguments in concepts already familiar to both themselves and their interlocutor: we cannot play the game without knowing the rules.[51] Even when we renounce or subvert the rules, we cannot also renounce their formative influence on our modes of expression, choice of interlocutors, and the shape of our own values.[52] So the first step and necessary step in participating in moral discourse is – according to MacIntyre – to *consciously* express one's social identity in the terms of the tradition from which it derives its substantive rights and responsibilities: "Different individuals live in different social circumstances; [but] it is also that we all approach our own circumstances as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. […] these constitute my moral starting point."[53]

As an example, born as someone's son or daughter, I inherit a particular social role and with it, certain expectations regarding the beliefs I should hold and how I ought to conduct myself towards my parents. Whether or not I fulfil this role placed upon myself will depend on contingent concerns (e.g. the concrete relationship I

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[50] This claim bears substantial resemblance to Hans-Georg Gadamer's positing of the positive and necessary 'prejudice' of each moral interlocutor. This is not surprising, as both MacIntyre and Gadamer propose that hermeneutic interpretation between different moral interlocutors necessarily must form the backbone of contemporary moral discourse. This proposal is critically assessed in Chapter II and Chapter IV of this thesis. See Gadamer, H. G. 1989. Pp. 271 – 272.

[51] See Wittgenstein, L. 1953. ed. 1999. §23

[52] Consider, as an example, that in §I.4 of this thesis, that radical discourse between liberal and 'non-liberal' is labelled by the rejection of the dominant (i.e. liberal) perspective of modern times.

[53] MacIntyre, A. 1981. p.220

have with my parents, etc.) but whilst I might choose not to fulfil this particular obligation within my actual life choices, I cannot negate its presence as a formative feature on my life as a whole. Even an apostate expresses their social identity as an explicit rejection of a particular social value; yet this will always be a rejection given in terms at home in the overarching tradition. As our reasoning cannot exist in a vacuum, neither can our personal narrative, our human transactions, nor our very identity. So, as we progress through our lives, our social identity assumes the language and attitudes of the time and the place. This occurs without the agent necessarily ever becoming aware of such a process. The standards of rationality, a shared telos, and our inherited social obligations lend us the tools to judge our own progress towards a meaningful, coherent goal. With the pretheoretic 'know-how'[54] grasp of culture we develop as a result of socialisation processes from birth, Furrow argues that our life options are both restricted in number but 'fleshed out' by their social embeddedness.[55] Concerning our own personal moral narratives "we [become] able to make judgements about some endings that would be more plausible than others given what we know about that theme, the characters involved, and the range of genres available. Such a judgment would constitute an argument in favour of acting one way rather than another, since certain choices would make a more coherent story than others [...] Thus, in MacIntyre's view, to be embedded in history is to discover the range of possibilities that inherited social roles make available, as well as the specific actions and qualities of character that are appropriate in the context of these social roles."[56]

One of the fundamental functions of a tradition is to act as the conceptual adhesive that holds together a socialised collective. But human communities are very rarely – if ever - found in total agreeance. In fact, it is likelier that adherents of a particular tradition, though they profess to share the same beliefs, may yet find themselves expressing conflicting attitudes, or differing in interpretations of how those values or rational criteria ought to be applied to a particular case. It is precisely because traditions are such a formative feature of communicative self-identity that attacks or repeals of their core values creates such a profusion of discourse. Yet whilst traditions 'embody' conflict, they also provide the rational apparatus for agents to come into dialectically productive conflict: to embark on tradition-constitutive enquiries, to evaluate the progress of their discourse, to resolve their enquiries - and in doing so, to substantially re-present the defining features of that tradition itself.[57]

There is something delightful dramatic in MacIntyre's account of tradition: as if traditions were a kind of play, where each moral agent takes the part of an actor, feuding, fighting, allying as their part dictated, but all

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[54] Parry, R. 2008.
[55] Furrow, D. 1995. Pp. 44 – 46.
[56] Furrow, D. 1995. Pp. 46 - 47.
[57] Kuna, M. 2005. p.258.

bound inexorably together by an overarching comic or tragic theme. The structure of a play that admits of its interpretation is a relevant analogy to how intra-tradition conflict is also governed by common 'rules' - even when these rules are subverted. Marian Kuna, in support of MacIntyre, indicates that whilst moral conflict occurs within traditions themselves, the conflict is *structured*: all participants already subscribe to the terms of the discourse, the overarching standards of debate, the social institutions in which this debate unfolds, and the communal telos towards which all interlocutors are oriented. Kuna contends that "every moral tradition is in turn embedded in some tradition of rationality that is both wider than the former, and also provides its members with its distinctive standards of rationality."[58] Structured conflicts within traditions might constitute an argument over the application of shared standards to particular cases, the coherency of different apparatus of rational enquiry, or the contested relevance of subordinate social values to the greater shared identity. This is the case in liberal debates regarding the limits to, or the legitimate formulations of, free speech and freedom of expression. Shared rational structures of enquiry are necessary in order to critically evaluate justifications provided in discourse: "reasons are understood as good reasons always in light of the contingently conditioned context, structure, and historical settings within which they are presented as reasons."[59]

So we would be wrong to conclude that standards of rationality that spawn such dialectical tension within a community are deeply incoherent standards to hold; MacIntyre's claim is the precise opposite. Traditions 'in good order' are always marked by lively discourse, discourse "precisely in part about the goods which constitute that tradition […] traditions, when vital, embody continuities of conflict."[60]. However, not all traditions display this capacity for critical reflection through public discourse. 'Dead' traditions are marked by their lack of hermeneutic activity on the part of their adherents: they are aggressively oppressive of free public discourse, or they do not, or no longer, possess sufficient content for adherents to make meaningful interpretations about.[61] These kinds of 'lacking traditions' may have also come about as result of a sudden rupture with existing conditions, or be an artificial enterprise, resulting from a sudden 'inorganic' mass conversion.[62] Free discourse is proscribed, or motivation to pursue it is not present. Further, the historical narrative of the communal continuity may have been disrupted in such a way that the new development cannot

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[58] Kuna, M. 2005. p.256.
[59] Annas, J. in Kuna, M. 2005. p.260.
[60] MacIntyre, M. 1985. p.222.
[61] The first instance of MacIntyre referring to traditions as 'dead or dying' is in *After Virtue,* p.221, in his rejection of the Burkean characterisation of traditions as dogmatic and unchanging.
[62] MacIntyre, A. 1988. p. 356.

appeal to pre-existing rational standards to justify the shift.[63] In reality, such communities that MacIntyre denotes might be marked with a combination of several of these factors, as the Khmer Rouge's violent and ultimately unsuccessful attempts to create a synthetic agrarian communist Cambodia.

However, MacIntyre, though he both acknowledges and condemns these traditions, marks them – even by their name – as something passing away or dying. Implicit in MacIntyre's account of dead traditions is their exclusion from hermeneutic projects of justification and understanding: dying traditions will fade, given enough time, and dead traditions will not come back to haunt the ethicist. Implicit in his naming of these traditions is the assumption that they may be, even during their brief time of existence, ignored or excluded from forums of analysis or critical engagement. Following MacIntyre's idiom, I term all these traditions that lack extant rational standards and internal dialectical conflict 'dead 'traditions. Dead traditions present an invidious challenge to the ethicist: can moral conflict that arises as between vital and dead traditions ever be rationally resolved?

So MacIntyre concludes our identities are composed of elements of both moral theory and non-moral particularities belonging to a specific social and intellectual tradition. Apprehension of this tradition is theoretically accessible to an outsider, but commitment to its precepts and their justifications is only open to those who are likewise immersed within the same tradition. One's social and moral identity is developed over the course of a lifetime's engagement with social structures, to the point at which rational structures of thought and discourse, and their corresponding telos become internalised as the 'way of life'. So we cannot choose the nature of society we are born into, but we do have the freedom to shape it through engaging in the discourse particular to this society. However, conflict that arises between traditions poses a particularly nefarious problem – in these cases, because the interlocutors subscribe to two different justificatory schemas, arising from two fundamentally incompatible ways of living, or ascribing meaning to the world. In these cases of radical moral conflict, whilst both adherent are capable of following the argumentative trail of their opponent, the conclusions drawn are unlikely to 'resonate' within their own criteria of valid reasons for action. Because both agents lack a common telos to structure their future progress, the discourse dissolves into a moral stalemate. In severe cases, MacIntyre terms this state one of 'crisis' because none of the traditions-as-they-stand possess the conceptual capital to furnish their adherent with a rational resolution of the conflict.

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[63] Fellow communitarian Bernard Williams takes an interesting trajectory from this point by attempting to establish a moral evaluative criteria through distinguishing between 'real' and 'unreal' moral options. 'Real' options help us sustain our social reality; whereas 'unreal options' require that we create a facsimile of a bygone moral community e.g. we cannot sustain Spartan moral codes alongside human rights doctrines. See Stout, J. 2001. Pp. 100 – 104 & Williams, B. 1974. & Williams, B. 1985. p.182.

In states of crisis, moral agents can additionally fail to communicate perceived wrongs to another party if the language of discourse lacks the appropriate idioms and cultural capital to appreciate the grievance.[64] When conflicts of tradition occur, moral interlocutors run the risk of lacking the appropriate shared criteria necessary for resolution of the problem, as well as potentially failing to recognise the depth or severity of the disjuncture in the first place. Without some apparatus to rationally bridge this gap, MacIntyre's communitarianism can only reaffirm the conceptual traditions already familiar to both the speaker and their audience; moral agents inevitably fail to fulfil their potential as the carriers of intercultural dialogue between incommensurable traditions, even those agents self-consciously engaged the structures of their own tradition. MacIntyre, not wishing to condemn his form of communitarian narrativism to this radical normative relativism, presents us with a conceptual mechanism for 'bridging the gap' from culture to culture. This he calls learning a 'Second First Language'.

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[64] Furrow, D. 1995. p.175.

Chapter II: A Critical Investigation of MacIntyre's Universalism

When we left MacIntyre's theory, he had asserted that a failure to recognise tradition-constitutive enquiry had led moral discourse into an aporia: interlocutors were brought into dialectical conflict in which neither agent possessed the conceptual resources to rationally resolve the case at hand. He indicates that this is because different intellectual communities at different periods have subscribed to different presuppositions, different conceptions of the person and different determinate criteria for rational coherency – and different constellations of these concepts have formed respective traditions. Though traditions may come to bear familial resemblances, or share areas of overlap, MacIntyre never-the-less stresses their fundamental incommensurability.[65] Because these substantive rational structures are incommensurable, 'rationality' can only be grasped through its exemplifications.[66] "Rationality" MacIntyre pronounces "is a concept with a history."[67] The agent that understands this capricious fact arrives at an enlightened understanding of what it means for a person to justify their argument: justifications are only semantically salient given a "[prior institutionalised] form of enquiry [...] internal to this particular tradition."[68] But this insight is not an apparent solution for the problem at hand: the possibility of rational discourse faced by two different agents of two different traditions. An understanding of the formative role of tradition has apparently bolstered the precise interminable conflict that MacIntyre wishes to resolve. Playing the devil's advocate, MacIntyre assumes the stance of the critic, and accuses himself: "But instead [of two mutually incompatible individuals], you are going to confront us with a diversity of traditions, each with its own specific mode of justification. And surely the consequence must be a like inability to resolve radical disagreement."[69] MacIntyre's reply to this criticism, which I quote below, is important in that it outlines the new direction of his theory: illustrating just how understanding of respective

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[65] The incommensurability of traditions is a point to which we will critically return to, later in this chapter. See Kuna, M. 2005. p.262, MacIntyre, A. 1988. Pp. 349 – 388. & Miner, R. 1998.
[66] MacIntyre, A. 1988. p.354.
[67] MacIntyre, A. 1988. p.9
[68] MacIntyre, A. 1988. p.358.
[69] MacIntyre, A. 1988. p.9.

traditions may progress towards rational resolution between traditions, even when rationality itself is subordinate to parochial constraints.

> "To this the proponent of the rationality of traditions has a twofold reply: that once the diversity of traditions has been properly characterised, a better explanation of the diversity of standpoints is available then either the Enlightenment or its heirs can provide; and that acknowledgment of the diversity of traditions of enquiry, each with its own specific mode of rational justification, *does not* entail that the differences between rival and incompatible traditions *cannot be rationally resolved*. How and under what conditions they can be so resolved is something only to be understood after a prior understanding of the nature of such traditions has been achieved. From the standpoint of traditions of rational enquiry the problem of diversity is not resolved, but it is transformed in a way that renders it amenable of solution."[70]

From the above paragraph, it is clear that MacIntyre does believe that deep divisions between moral interlocutors – especially those concerning standards of rational enquiry – are rationally resolvable, by standards that transcend parochial communities. In order for him to demonstrate this, he must prove that "incommensurability and the consequent absence of shared decision criteria are compatible with rationality in theory-change".[71] Therefore, MacIntyre is clearly invested in some form of universalism, which he himself must make explicit and justify. His theoretical conception of universalism is explored below in as a necessary pre-requisite for comprehension of its *praxis*, the Second First Language Thesis.

The perceptive reader will note that in the first chapter, my analysis of MacIntyre turned primarily on traditions – and in particular, an informal ontological distinction between vital and dead traditions. However, this second chapter is focused primarily on language: the acquisition of language, the language of discourse and the application of a Second First Language. The shift itself requires some explication, because it is motivated by MacIntyre's understanding of how traditions are expressed through language and why this relation is of central importance to discourse. In *After Virtue¸* MacIntyre extracts two general claims regarding the general nature of traditions: all traditions are particular, and all traditions are incommensurable (this latter claim is prone to substantial contention, and will be discussed below).[72] Traditions are particular, in that they can be distinguished

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[70] MacIntyre, A. 1985. Pp. 9-10.
[71] Allen, A. 1997. p.511.
[72]For criticism of MacIntyre that never-the-less accepts traditions as fundamentally incommensurable, see Okin, S. M. 1989. For analysis of the incommensurability of traditions as an uncritical concept, or given in support of MacIntyre, see Angier, T.

by their individual telos i.e. their final conceptions of the ultimate good-for-humankind. These ultimate goods need no further justification, and MacIntyre has previously advanced the claim that they admit of no measuring or comparison. In light of this, he concludes that fundamentally, traditions are in some sense incommensurable, and their practical expressions through rituals and symbolic acts are essentially exclusionary in nature.[73]

However, traditions develop: they evolve, admit of new adherents, come to possess startling new insights, merge with other traditions, or split into smaller, competing factions. In essence, traditions consistently display the capacity to 'bootstrap'[74]; they apparently come to genuinely novel conclusions though their structure seemingly admits of no new data to be introduced to the system as fuel for these developments. Traditions, with no apparent point of external leverage, pull themselves up 'by their own bootstraps': that they do so is clear enough through studies of numerous historical examples.[75] For both MacIntyre (as well as Apel), the secret to this phenomenon is intimately linked to the capacity for language and the process of language learning in a social environment.

Languages – unlike rituals - presuppose communication, adaptation and translatability: it is the intention of a language user to establish successful communication with another individual. Therefore, each language operates under a series of grammatical rules, themselves transparent and under the collective scrutiny of a community of language users.[76] Even in cases of radical interpretation, Donald Davidson has argued, the 'outsider' must have some understanding or minimal intelligibility to recognise that the sound utterances they are hearing do indeed, compose specific rule-adhering tokens of a language.[77] So whilst traditions embody absolute and incommensurable telos, each of these ultimate goods is expressed within a particular language: that is, a particular semantic and syntactic structure that admits of communication between those possessing adequate

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2011. & Kuna, M. 2005. For criticism of traditions as 'incommensurable structures', see Allen, A. 1997., Annas, J. 1989. Herdt, J. 1998. & Fuller, M. 1998.

[73] Kuna, M. 2005. Pp. 256 – 258. & MacIntyre, A. 1985. p.258.

[74] 'Bootstrapping' is a charming colloquial term for when an act is achieved despite its patent physical impossibility. The full phrase is to "pull oneself up by one's own bootstraps", an act that could never be performed because one's bootstraps offer no external leverage. A folk story tells of Baron Münchhausen who pulls himself out of a swamp by his own hair in a superb act of bootstrapping. The Baron also features in another eponymous logical problem we will encounter in Chapters III & IV, the Münchhausen Trilemma.

[75] MacIntyre's favoured example is of the achievement of Thomas Aquinas in *Summa Theologiae* to create a Catholic-Dominican discourse that incorporated elements of two competing traditions - Aristotelianism and Augustianism: "Aquinas, in appropriating both traditions, integrating them, and carrying forward what was specific in each […] produced a new genre for the discourse of enquiry." MacIntyre, A. 1990. p.124.

[76] Wittgenstein, L. 1953. ed. 1999. §§244–271

[77] Davidson, D. 1973. Pp. 322 – 324. Davidson is briefly but amiably addressed directly by MacIntyre in *Whose Justice?* Pp. 370 – 371. Davidson's theory of minimal intelligibility has been in substantial measure vindicated by the popularisation of Noam Chomsky's theory of universal grammar (i.e. that the capacity to learn grammatical rules, under which all natural languages operate, manifests innately in all instances of human development). See Chomsky, N. 1965. MacIntyre's latest book, *Dependent Rational Animals* (not covered within this thesis) deals more substantively with his investment in Davidsonian theories of language and meaning, particularly in Chap. 4: *Can Animals Without Language Have Beliefs*? Indeed, the title of the work is a reference to Davidson's *Rational Animals*, 1982 which concludes "Rationality is a social trait. Only communicators have it." Davidson, D. 1982. p.327.

degrees of linguistic competency. Hence, one can become fluent in another language, such as Greek, English or German, but one may become 'fluent' in social and political structures of a particular time, such as Colonial Australia or the Meiji Restoration. One can also become adept at expressing themselves within a particular community (such as a religious or political faction) or a jargon laden field of expertise. Though a telos and its language of expression are not equivalent, they are intimately linked through social hermeneutic practices of discourse: "we can therefore compare and contrast languages in respect of the degree to which some particular language-in-use is tied by its vocabulary and its linguistic uses to a particular set of beliefs, the beliefs of some specific tradition, so that to reject of modify radically the beliefs will require some corresponding kind of linguistic transformation."[78] Hence, it is only through coming to a dialectical hermeneutic expertise in the language of an established, tradition-laden community that we can begin to express ourselves intelligibly: "the content of our moral life must emerge out of our attachments to the past."[79, 80]

However, none of this language acquisition is absolutely final, in the sense that it is all open to reinterpretation by the particular language-user as new interactions and new interpretations within a language community draw individuals to accept novel conclusions. The kinds of conclusions we arrive at through honing linguistic competency are not moral evaluations, framed in terms of good and bad, or right and wrong, but linguistic evaluations: language competency foremost furnishes us with the ability to determine what is semantically and syntactically possible - to distinguish between what is sense, and what is non-sense. Further, we exhibit communicative expertise when we prove that we can transcend our own rules, transforming our expressions of our own narrative through re-presenting their accepted content in novel ways – ways that expose and affirm the temporal contingency of both the old and the new.[81] By MacIntyre's account, we are not only narrativist, but poetically inclined to express these kinds of linguistic transformations.[82] MacIntyre concludes that whilst we cannot directly 'weigh' different conceptual structures against each other to assess their relative value, we are capable of moving between traditions through coming to grasp their conceptual content "in their own terms […] [foreign traditions] cannot be acquired as a second language by adding to one's first language

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[78] MacIntyre, A. 1988. P 374.

[79] Kuna, M. p.257. & Furrow, D. 1995. Pp. 47 – 50.

[80] Furrow, D. 1995. p.49.

[81] A frivolous but richly humorous example of this kind of reinterpretation is presented by Roald Dahl in *Roald Dahl's Revolting Rhymes.* Dahl's Cinderella is revolted by Prince Charming, himself a slovenly, sexist snob. Goldilocks is a thoughtless little criminal put on trial by the narrator where the reader assumes the role of jury. Little Red Riding Hood is an emancipated professional wolf hunter – an amoral femme fatale with a penchant for wearing the fur and skin of her anthropomorphic neighbours. Dahl presents us with an alternative kind of narrative to the one we are familiar with, and in doing so, sets up a space whereby we are no longer blinkered by the assumption that the original stories contains 'all that there is'. Dahl, R. 1982.

[82] MacIntyre here aligns himself with the hermeneutically interpretive agent posited by Richard Rorty in the essay "Heidegger, Contingency and Pragmatism". See Rorty, R. 1991.

skill in sentence-matching or even in paraphrase. They have to be learnt as a second first language or not at all."[83]

Without delving too deeply at this point into structures of language, let me return to a central cornerstone of MacIntyre's theory, a claim in contradistinction to Apel's *denkweg*: *all* facets of language are subordinate to traditions, those conceptual structures of rational enquiry into the good of man. I repeat: *no* facet of language is demonstrably transcendental, insofar as it can be demonstrated to be a priori to traditions themselves. Language expresses substantive concepts – concepts such as rationality, and the Good; these concepts can only be grasped though the existing framework of a tradition.[84] Further, socially contingent rules of meaning are the foundation for the validity criterion of any possible expression. It is only through an understanding of the rules of a language game that I can express myself, or come to evaluate the contents of an utterance made to me. This is why MacIntyre stresses that expression of a person's identity is not a conscious effort of creation, but rather an endeavour of discovery. Through coming to a better understanding of tradition, and tradition-as-it-is-currently-expressed-through-language, a person comes to an understanding of the structures of thought that were already there (alternatively, this can be reformulated as coming to comprehend those commitments that are pre-theoretic). But now, a further step may be made. That step is this: whilst languages are subordinate to traditions and hence are not transcendental in themselves, adept language users can transcend the limitations of their own community through attaining mastery of multiple languages.

So MacIntyre's universalism is two distinctive claims. The first is that agents do have the capacity to occupy another tradition, and in doing so, to 'view their own tradition from an outside perspective'.[85] The second is that these same persons can 'translate' conceptual capital from other traditions to be digested and used as the grist for structured enquiries within their first tradition.[86] Both these activities are 'self-directed', insofar as they do not presume, nor require a merging or rational evaluation of either of the core telos of either tradition. For instance, I can imagine how my lifestyle might be received by, say, members of a very strict religious order. I can even, if I delve deeper, adapt some of their own conceptual capital to be incorporated into my own particular lifeform: perhaps, through our discussions, I learn the value of self-discipline or modesty. Unlikely though it seems, I might even internalize an attitude of respect for one's elders. However, where we find ourselves divided over cases rising from fundamentally insoluble issues: normative gender roles, notions of good and bad, justice

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[83] MacIntyre, A. 1988. p.375.
[84] Kuna, M. 2005. p.253.
[85] MacIntyre, A. 1988. Pp. 370 – 374.
[86] MacIntyre, A. 1988. Pp. 354 – 357.

and retribution, and other like 'non-negotiable beliefs', MacIntyre appeals to yet another, more substantial, conception of universalism: that such cases *can* be rationally resolved, and the apparatus for this resolution already lies within his theory. Is it this, stronger, more contentious claim that leads Dr. O'Rourke of UCD, Dublin, to attribute to MacIntyre a struggle to answer these imperative questions:

"How can we find a basis for the moral condemnation of evil in its various guises? How can a human enquirer, standing within a peculiar tradition and history, seek a truth that transcends that tradition and that history?"[87]

The distinction between the former weaker and the latter stronger formulation of universalism lies in the relationship of the conceptual content, the position of the criticizer, and the foundation provided for the justification offered. In order to improve one's own tradition, the initial content is external, and then translated by a bi-linguist into a form that is transparent to their fellow adherents: "Action X is to them is like Action Y to us". Hence, all further conceptual developments stemming from this new material are all still evaluated from within the dominant tradition. On the other hand, if I feel obliged to criticise a foreign practice that I argue is wrong – or even more strongly "evil" – then my justification for why this is so cannot rest solely upon the rational structures of enquiry that I am already invested in. If this proves to be the case, then I can only condemn other practices from the stand point of my own, and in doing so, my arguments have not rationally transcended their provenance and my interlocutors (presumably the offending party) may easily point out that my standards of right and wrong, or good and evil, simply do not apply to them.

If MacIntyre ended his claim to universalism as a description of how traditions can come to feature in co-evolutionary relationships as a result of the pragmatic features of language acquisition, his claims would not be nearly so contentious. However, this is not the case, and what I believe to be the most intriguing facet of MacIntyre's communitarianism is his further claim: that rational resolution can come to hold between traditions.[88] His full declaration of his commitments is as follows:

"What this alternative [i.e. objectivist versus the genealogist] conceals from view is a third possibility, the possibility that reason can only move towards being *genuinely universal and impersonal* insofar as it is *neither* neutral nor disinterested, that membership in a particular type of moral community, one from

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[87] O'Rourke, F. quoted in UCD News, 2009.
[88] MacIntyre, A. 1990. Pp. 59 – 60.

which fundamental dissent has to be excluded, is a condition for genuinely rational enquiry and more especially for moral and theological enquiry."[89]

It is this facet of MacIntyre's argument that I focus exclusively on from this point in. In difficult cases of conflict, the core problems are not of interpretation, or understanding, but of justification: in arguments, we frequently can see another's perspective but do not necessarily feel obliged to accept their position as our own. For the remainder of this chapter, I will argue that this second universalist claim is insoluble with MacIntyre's assertion of rationality as subordinate to traditions, even in spite of remedial steps MacIntyre takes beyond *After Virtue* in order to substantiate his claim.

MacIntyre's Second First Language Thesis is designed to produce rationally justified resolution between two moral interlocutors who have come into conflict and are unable to find a mutually justifiable resolution. By doing so, it proposes to demonstrate that (i) situated moral agents can transcend their own social conceptions of tradition and (ii) that in doing so, "reasons can […] move towards being genuinely universal and impersonal"[90]. The two aims above indicate the aims of the SFLT and they also stand as the criteria for its success: the SFLT must also furnish its user with the knowledge that they have transcended their own tradition and done so in a way that is demonstrably rational. Only when they are in possession of this knowledge can they determine whether their contribution to moral discourse has achieved a genuine synthesis of two conflicting traditions. The salient questions to keep in mind are (a) does employment of the SFLT actually demonstrate a rational evolution of the perspective of moral agent? And (b) if this evolution does occur, what facets of MacIntyre's theory justify his claim that this movement is universalist, in the sense that it represents a progression towards the universal and impersonal? Both these questions are critical addressed in the second half of this chapter. The SFLT is integral to MacIntyre's normative commitment to universalism – if the SFLT can be demonstrated to be internally incompatible with MacIntyre's theory of communitarianism, and hence, incapable of fulfilling its own criteria for success, MacIntyre has not achieved his stated outcome: to provide a détente between communitarian and universalist concerns.

Learning a second first language is an intensive process, and involves both coming to a critical comprehension of the rational structure of enquiry of a tradition, as well as immersing oneself as an active and competent participant in the "mode of social and moral life of which [that] intellectual enquiry was a particular

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[89] MacIntyre, A. 1990. Pp. 59 – 60.
[90] MacIntyre, A. 1990. p.60

part".[91], [92] This participatory competency is especially important because rational structures of enquiry of a tradition, as we have explored above, are informed by social institutions, as well as being – to a greater or lesser extent – also reflected in the social practices of these social institutions.[93] MacIntyre advances that 'true adherents' of a tradition possess further conceptual content that cannot be replicated through 'book learning' alone: they have come, through their participation within a community, to accept the unique 'pre-theoretic' beliefs, values and understandings of that community, in ways that the tourist or knowledgeable historian have not. These latter examples of perspectivism distinguish themselves from genuine commitment because their practice does not require active participation in a community, and it does not impress a person with the imperative to seek a rational truth from within the tradition structure itself. As such, perspectivism is the interesting but uncritical practice of armchair anthropology, but it is not the understanding of learning as an immersive process of internalisation that MacIntyre wishes to impress upon his readers. MacIntyre makes it explicit that he does not advocate perspectivism as the foundation of a second first language, because the actions of the perspectivist mark them as an outsider, not an adherent to a tradition:

> "The perspectivist, moreover, fails to recognize *how integral the conception of truth is to tradition-constituted forms of enquiry*. It is this which leads perspectivists to suppose that one could temporarily adopt the standpoint of a tradition and then exchange it for another, as one might wear first one costume and then another, or as one might act first in one play and then a quite different part in a quite different play […] The perspectivist could indeed pretend to assume the standpoint of some one particular tradition of enquiry; he or she could not in fact do so. […] Perspectivism […] is a doctrine only possible for those who regard themselves as outsiders, as uncommitted or rather as committed only to acting a succession of temporary parts."[94]

Actively committing oneself in an investment of the rational standards of the tradition, and immersing oneself in its social practices means that to a certain extent, one must be capable of coming to grasp the pre-theoretic commitment that the born adherents to that tradition share – the formative understandings that shape the very identity of a tradition-constituted agent: "On MacIntyre's own grounds, there is an important difference between knowing the associations and resonances a word has and having those associations are resonances as

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[91] "[MacIntyre's situated agent is] mind as activity, of mind as engaging with the natural and the social world in such activities as identification, reindentification, collecting, separating, classifying, and naming and all this by touching, grasping, pointing, breaking down, building up, calling to, answering to, and so on." MacIntyre, A. 1988. P. 356.
[92] MacIntyre, A. 1985. P.349
[93] MacIntyre, A. 1985. P.349
[94] MacIntyre, A. 1988. Pp. 368 – 369.

one's own."[95] This pre-theoretic commitment is a double edged sword, because it ensures that moral agents do not 'skimp' on their investment in a second tradition, but it also, as Furrow terms it, makes the process of learning a second first language a dangerously 'self-congratulatory' affair.[96] Putting aside the questions regarding the possibility of grasping this experiential facet of a lifeform, such a commitment means that – to a certain extent – a person is rendered uncritical of the tradition they have adopted. Even MacIntyre, who generally promotes pre-theoretic commitment as a necessary and positive step in moral communication, identifies this as a large and unavoidable risk in his communitarian moral theory. He points out that, unlike in the perspectivism canvassed above, to "genuinely adopt the standpoint of a tradition thereby commits one to its view of what is true and false and, in so committing one, prohibits one from adopting any rival standpoint."[97] Hence, for instance, in order to critically engage with Christianity, it is not unreasonable to assume by MacIntyre's own account, that I must hold some kind of basic belief in god. For instance, this position is actually articulated and argued by Pastor Douglass Wilson: "If you postulate a belief in God, and say, 'and I would be very angry with him, for doing what he's doing – *were He there*'. The problem is, were He there, there's a good explanation for what He's doing, consistent with His nature and character. I can't step into that world, and just take part of the world. If I step into that world and say "God has created all this mess *and* He's a nincompoop, or a demon or something, I haven't fully stepped into that world. As soon as I *fully* step into that world, God controls everything, He controls evil, He's sovereign over evil […] and there's a good reason for all things – that's gonna come out and be clear at the end."[98] In summary, when MacIntyre argues that pre-theoretic commitments are the 'pass' required to participate in rational discourse, but that radical discourse *can* have a rational foundation, is the Second First Language Thesis the solution we desperately require?

The focus of the remainder of this chapter is two-fold. For the first half, I substantiate my claim that, without a foundation, MacIntyre's SFLT is insufficiently justifiably critical of foreign traditions. MacIntyre's response to this – developed primarily in *Whose Justice? Which Rationality?* - has been to pose a foundation for the SFLT in overlap of historical practices between tradition that allow real moral interlocutors to 'come to terms' with both traditions through critical practice (that is, participation) in both traditions. His central claim for the warrant and legitimacy of this foundation is that participation in practice develops the rational critical faculties of the user fluent in two 'first languages'. Hence, this adept person can still rationally criticise traditions beyond their first culture and so relativism does not obtain.

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[95] Furrow, D. 1995. p.63.
[96] Furrow, D. 1995. p.63.
[97] MacIntyre, A. 1988. p.367.
[98] *Collision*. 2009.

I response, I argue that the issue of rational criticism in MacIntyre's theory is not – and cannot be - rectified by the emphasis MacIntyre places on the distinction between perspectivism and adherentism. In order to do so, I return to MacIntyre's initial question that led to the development of the SLFT: can an interlocutor rationally criticise a tradition from within - that is, by demonstrating that the tradition itself is prone to internal incoherency? In this instance, I agree with MacIntyre: a tradition that can be demonstrated to be internally incoherent can indeed by rationally criticised by a moral interlocutor. However, these instances of criticism rest implicitly on a 'hidden foundation' within MacIntyre's work: his addendum that all 'living' traditions shared a 'meta-telos' that is aimed towards the discovery of truth as the ultimate 'good for man'.[99] Criticism of the internal incoherency of a tradition is only a substantial criticism within the rational structure of a tradition that consciously strives towards a conception of truth, and seeks to express it in the overall coherency of their tradition-constituted framework. Because MacIntyre does not justify his foundational claim for the 'truth-seeking' nature of tradition, he cannot provide a legitimate basis for criticism inter-tradition. Indeed, MacIntyre's explicit denial of the need or possibility for a foundation for philosophy also precludes him from legitimising the foundation his own theory rests on. MacIntyre, therefore, faces an unpalatable choice: either rein in his communitarian commitments and admit that a non-contingent foundation for philosophy as a practice of rational social criticism is both possible and necessary, or relinquish his commitment to the SFLT as a legitimate conception of rational universal criticism and condemn his theory to normative relativism.

As we saw from the last section, the necessary pre-theoretic commitment that a genuine adoption of a second first language requires is the most demanding feature of MacIntyre's SFLT. The question of how one can 'balance' these two competing features – critical dialogue and non-critical investment – becomes the crux of MacIntyre's second book, *Whose Justice? Which Rationality?* In this work, MacIntyre, still shunning a transcendental foundation for his theory, nevertheless, begins to develop a refined ontology of traditions. A direct result of this extrapolation of several incipient features of *After Virtue*, MacIntyre can now introduce a new refined theory of traditions, one that allows for a historically contingent, overlapping foundation for rational discourse. The purpose of this section is to extrapolate how MacIntyre's system exhibits this new development: in the following section, I argue that even this new development cannot support the universalist demands MacIntyre makes of the SFLT.

The best question to illustrate MacIntyre's theoretical progression is to ask "What precisely is incommensurable about traditions?" I submit two possible answers. First, the content of traditions themselves

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[99] Furrow, D. 1995. p.50.

can be incommensurable – every tradition encapsulates a different telos, a different set of virtues to aspire to. This reading of incommensurability is clearly at play when MacIntyre narrates a history of conflicted justice, pointing out that there is not one agreed-upon way to decide whether a conflicted case of justice is rationally resolvable through appeal to rights, or utility, or contractual obligations, or to desert, and so on.[100] Even more apparently, this kind of incommensurable content is illustrated by MacIntyre's discussion the proper nouns in language: in this case, the legitimising one option necessarily negates the belief content expressed by the other:

> " 'Doire Columcille' embodies the intention of a particular and historically continuous Irish and Catholic community to name a place […] ever since it became St. Columba's oak grave in 564 […] while 'Londonderry' embodies the intention of a particular and historically continuous English-speaking and Protestant community to name a settlement […] whose commercial origin in London, England, is conveyed as effectively by its name as the corresponding religious information is conveyed by 'Doire Columcille'. To use either name is to deny the legitimacy of the other."[101]

But alternatively, traditions can be incommensurable with regards to their provenance, insofar as every tradition is autochthonous – specific to a particular time and a particular place. This claim is also made by MacIntyre[102], but this secondary reading of incommensurability leaves another option open to MacIntyre: that the contents of traditions themselves may be partially conflicting, or non-translatable to a degree, yet still exhibit overlapping principles, values or standards that admit of a lateral rational dialogue between traditions based on pre-existing mutual commonalities. In these cases, "…it may be discovered within some developing tradition that some of the same problems and issues – recognized as the same in the light of the standards internal to this particular tradition – are being debated within some other tradition, and defined areas of agreement and disagreement with such an other tradition may develop."[103] Even further, "…to some degree, insofar as a tradition of rational enquiry is such, it will tend to recognise what it shares as such with other traditions, and in the development of such traditions common characteristic, *if not universal*, patterns will appear."[104]

Traditions could, in short, exhibit convergent evolution, coming to exhibit familial resembles despite their distinctive lineages. On the basis of this pre-existing but historically contingent foundation, two moral interlocutors are capable of coming to rationally amenable agreement inter-tradition, and the conclusion that can

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[100] Allen, A. 1997. p.521.
[101] MacIntyre, A. 1988. p. 378.
[102] MacIntyre, A. 1988. Pp. 358 – 359.
[103] MacIntyre, A. 1988. p 358.
[104] MacIntyre, A. 1988. p.359.

be demonstrated to hold rationally for both traditions holds as a step towards the genuinely impersonal and universal claims MacIntyre aspires to. Pre-theoretic commitments would no longer present such an insoluble dilemma because their actual contents would be sufficiently similar to admit of translation. In *Whose Justice?* MacIntyre does make this move, and his project then becomes an endeavour to establish what can precisely hold between traditions and why this must be the case, historically speaking. In doing so, MacIntyre begins to elaborate an ontology of traditions, based upon his prior normative distinction between vital and dead traditions.

What all vital traditions share, asserts MacIntyre, is not only structured conflict (enacted through rational discourse) but dialectical conflict that is oriented towards a rational realisation of their telos.[105] This realisation is composed of two facets: critical reflection on the nature of the goods of the tradition balanced by a dialectical struggle to vindicate, hermeneutically, the truth of that good. Therefore, both the impetus and vindication of rationally motivated developments with a particular tradition are evident when a tradition can demonstrate that the new interpretation of it's core beliefs are in some sense better equipped to respond to the current epistemological conditions. In these conditions, the telos of a tradition has 'risen to the occasion': "It is in respect of their adequacy or inadequacy in their responses to epistemological crises that traditions are vindicated or fail to be vindicated."[106]An adherent to a vital tradition – any vital tradition – is understandably concerned by actual or potential discrepancies in their rational world view; an adherent to a dead tradition is not aware of, or not concerned with, the rectification of conceptual inconsistencies. Hence, all participants within a tradition-constituted discourse of enquiry presuppose, and are already committed to, some kind of rational truth-seeking activity which they cannot coherently ignore or deny: "Traditions which differ in the most radical way over certain subject matters may in respect of others share beliefs, images and texts. Considerations used from within one tradition may be ignored by those conducting enquiry or debate within another only at the cost, by their own standards, of excluding relevant good reasons for believing or disbelieving this or that or for acting in one way rather than another."[107]

If all vital traditions are demonstrably oriented towards the discovery of truth achieved through critical discourse, then all interlocutors within as well as between traditions, have a rational basis of mutual solidarity: they are all aiming at the same goal, even if they have conflicting subordinate commitments. Adherents of any vital tradition have both the warrant (through the SFLT) and the motivation to engage in rational inter-tradition discourse. Whether or not challenges to their tradition emerge from within or without, adherents must either

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[105] Allen, A. 1997. p.512.
[106] MacIntyre, A. 1988. p. 366.
[107] MacIntyre, A. 1988. p. 350.

respond, or submit that their tradition will not, or cannot, respond rationally. In doing so, these adherents forfeit the claim that their tradition can vindicate its own telos, or that its rational structure of enquiry can actualise its foundational values. Because "the test for truth in the present […] is always to summon up as many questions and as many objections of the greatest strength possible; what can be justifiably claimed as true is what has sufficiently withstood such dialectical questioning and framing of objections."[108] Critical reflection on one's commitments is entailed at the moment one comes to acknowledge their commitment to a tradition: "No (adherent) at any stage can ever rule out the future possibility of their present beliefs and judgments being shown to be inadequate in a variety of ways."[109]

The purpose of this section has been to illustrate the historically contingent foundation MacIntyre establishes as a necessary prerequisite for the possibility of genuinely universal resolutions to hold inter-tradition. In response, I raise three related criticisms against the acceptance of Macintyre's explicit non-foundationalism as exhibiting genuine universalism. The first is that MacIntyre's ontology of traditions is not sufficiently backed up by MacIntyre himself. The second is that the theory itself precludes rational discourse from ever being an option with respect to traditions that do not aim at coherency. This has deplorable implications for the critical practice of the applied ethicist. Finally, because MacIntyre's universalist détente with communitarian is not, and cannot be, vindicated within the limits of his own prior communitarianism, it ultimately fails to deliver on its promises.

So far, I have indicated that the SFLT requires a rational foundation in order for it to function. MacIntyre's response to this criticism has been to indicate that such foundations do exist within his communitarian schemata, insofar as traditions of rationality share some 'overlapping' features.[110] Now I ask whether this contingent rational foundation is sufficient to achieve the stated goals of the SFLT, and I submit that it is not. Over the course of critically appraising the SFLT, I have come to conclude that the problems apparent in the application of the SFLT to concrete cases of moral conflict stem from two sources: (i) the insufficient critical clout of the SFLT, a state of affairs that is obfuscated by (ii) an implicit and unjustified ontology of traditions. This implicit account of traditions stems from MacIntyre's prior communitarian account of tradition, and it contributes to the apparent success of the SFLT when it is applied in favourable conditions.

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[108] MacIntyre, A. 1988. p. 358.
[109] MacIntyre, A. 1988. p. 361.
[110] MacIntyre, A. 1988. p.350.

The notion that all traditions are oriented towards the discovery of truth is already a problematic assertion that requires significant critical substantiation. Yet it, and a collection of other overarching assumptions, undergird MacIntyre's account of the development and orientation of traditions. Andrew Cohen even goes so far as to identify a stronger inclination in MacIntyre's theory than just a particular assertion of the orientation of traditions towards truth : "Embedded within the confines of communitarian conventionalism lies an optimistic belief that a culture will develop toward humanistic and universalistic moral goals (even if asymptotically) […] communitarians believe that an authoritative tradition within a community will move forward to become a society wherein all citizens are able to fulfil their telos or, perhaps, their 'inner natures'."[111] The first question to ask is: is such a claim explicitly made, or implicitly relied upon, in MacIntyre's universal communitarianism? The second question is: is such a claim logically defended, or optimistically hoped for?

In response to the former, such a claim *is* advanced by MacIntyre, specifically in relation to MacIntyre's commitment to neo-Aristotelian virtue theory. As Kuna indicates, MacIntyre personally endorses a notion of a substantive ethical life that can only take place within a community of shared values. MacIntyre goes to lengths to argue that dialectical participation of an adherent within a community is one necessary step in overcoming contextual-less moral aporia. I have briefly argued that, surmising from MacIntyre's theory, one can claim that participation within a community is the fundamental mark of a 'true tradition adherent'. However, MacIntyre's explanation for the necessity of participation is misplaced: practice does not impart an addition critical faculty to the participant, to be exercised in the public forum of critical discourse, as MacIntyre claims.[112] Rather, as Kuna indicates "[participation is necessary] because an Aristotelian always understands one's excellence with reference to and in the context of some particular type of human activity or practice. Practice is the background for the definition of virtues."[113] Therefore, it is only through the social practice of "reasoning together with others" that we can achieve both the common good of society as a whole, and through this achievement, come to realise our own personal ethical ends.[114] Traditions are furthered through participation, but this participation does not entail that the tradition itself is open to rational dialogue with its neighbours. Therein, MacIntyre builds in, from the very conception of his communitarianism, an optimistic assumption that traditions,

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[111] Cohen, A. 2000. p.44
[112] 'A living tradition', MacIntyre writes, 'is an historically extended, socially embodied argument […] partly constituted by an argument about the goods the pursuit of which gives to that tradition its particular point and purpose' and whose vitality is sustained by 'continuities of conflict'. MacIntyre, A. 1988. p.222. Within this dialectical conflict, all participants recognise that every conclusion is 'no more than, the best answer reached so far." MacIntyre, A. 1990. p.124.
[113] Kuna, M. 2008. p.108.
[114] Kozinski, T. 2007.

in Furrow's terms, "have in-built resources for overcoming themselves, that it is in the nature of traditions to seek the good for man."[115]

The question of whether traditions do or do not move towards some kind of Hegelian absolute is not the question on the table. The crux of the matter is that MacIntyre's theory as it currently stands can only assert such a state of affairs as an unsubstantiated claim – and further, that such a specific end-conception for human communities has damaging totalizing implications for appreciation of the particularity and incommensurability of human communities, if MacIntyre insists on its advancement.[116] He has no justification for why this state of affairs regarding tradition may or may not obtain. In fact, as MacIntyre's theory explicitly asserts that no overarching ontology of tradition is possible or required in order to obtain rational discourse inter-tradition, Cohen and Furrow's criticism is substantial. MacIntyre - from *After Virtue* in 1981 to *Dependent Rational Animals* in 1999 - has not successfully refuted their charges. However, criticism levelled at the overall coherency of MacIntyre's theory is not only damaging in academic discussion of his work; it also indicates a failure of the SFLT to function as a sufficiently critical tool in cases of real moral conflict. Making the possibility of rational discourse subservient to assumed historically contingent features of tradition has disquieting implications for the possibility of applied ethicists to level rational criticism at ethical traditions different to their own. The mirror of these systemic incoherencies in the conceptual structure of MacIntyre's theory is reflected in his division between 'living' and 'dead' traditions: a demarcation which now is demonstrated to rest on an implicit optimism, not a logical argument.

The delineation of 'living traditions' becomes more substantial with every move MacIntyre makes towards attempting a justification of foundation-less universalism. Traditions are amenable to criticism through the application of the SFLT, but only when tradition-constitutive enquiries are directed towards the uncovering of truth, and only when their adherents already occupy a (humanistic) position whereby they might freely pursue their own conception of the good. Traditions that do not fulfil these prerequisite criteria are termed 'dead' traditions, insofar as they cannot support rational discourse inter-tradition or process criticism through rational enquiries. Their unfounded conservatism and resistance to evolution has left these tradition blighted by a distinct paucity of critical conceptual structures and a tendency towards dogmatic rhetoric.[117] Hence, dead traditions -

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[115] Furrow, D. 1995. p.50

[116] Consider, for instance, how one ought to balance MacIntyre's ontological distinction between vital and dead traditions with Charles Taylors injunction to "to see the incommensurability, to come to understand how their range of possible activities, that is, the way in which they identify and distinguish activities, differ from ours". Taylor, C. in Cohen, A. 2000. p.41. See also Mohanty, S. P. 1989. & Taylor, C. 1989.

[117] MacIntyre, A. 1985. Pp. 221 – 222.

and by extension, their adherents - are already precluded from the possibility of participating in a rational commune of traditions. MacIntyre has claimed, but not established, that traditions that oppress the critical faculties of their adherents, instead of fostering them, will eventually wither away. This is the first (i) implicit normative claim derived from the distinction between living and dead traditions. Hence, claim (ii) is that critical discourse inter-tradition in these cases is not required, or shortly will not be, as the traditions 'self-correct' or die. Is either claim (i) or claim (ii) actually the case?

It is easy to dismiss fascist, xenophobic, sexist or generally oppressive and unjust social structures as 'dead traditions'. These traditions might still impress non-adherents with powerful social institutions, outward observance and rituals, but they are marked by a distinct rejection of self-reflexive practices. When MacIntyre speaks of flourishing traditions, he notes that they all strive for rational betterment of their own conceptual resources. Fundamentally, all flourishing traditions challenge themself through rhetoric: "In the light of the evaluations and the resources of dialectical reasoning which we now possess can we construct a better account of the supreme good than any hitherto suggested?"[118] Dead traditions, according to MacIntyre, deny the relevance of this question entirely. They are fundamentally exclusive ventures, closed to any attempts to translate or rationalise their telos. Dead traditions, in this manner, are cut off from any moral interlocutor who attempts to employ the SFLT. These traditions are self-consciously excluded from MacIntyre's contingent foundation for rational discourse.

The exclusion of these kinds of radically different social structures from rational debate bodes ill for MacIntyre's project of historically-contingent universalism. Through this exclusion, moral interlocutors also dismiss the possibility for genuine criticism of extant practices that present the most controversial and indigent cases of moral conflict. A MacIntyrean might note that "if a culture insists that [some] individuals are of lesser value (basely solely on their sex or colour) then it is simply mistaken".[119] But the committed MacIntyrean cannot provide sufficient rational justification for *why* this society is now morally obliged to recognise their mistake and rectify their social institutions. As a result, no rational conclusion can be reached; the controversial practice cannot be demonstrated to be immoral, just beyond the scope of what can be rationally criticised from within the discursive constellation formed by 'flourishing' traditions. In these cases, forceful intervention on the part of one tradition to curb the practices of another cannot – nor ever be – morally justified, only strategically evaluated.

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[118] Kuna, M. Pp. 264 – 265.
[119] Cohen, A. 2000. p.42.

The morally concerned interlocutor must be satisfied, at this stage, with the optimistic hope that they will never find themselves in such a pressing case arising from radically conflicting traditions.

I will not attempt to argue this here, but I will note that an alternative argument can be made in direct contradistinction to the optimism that Cohen correctly attributes to MacIntyre: that fundamentally incoherent, oppressive and dogmatic traditions are the norm, and traditions that strive for internal coherency through shared critical discourse are the historical aberration.[120] There is nothing in MacIntyre's theory as it stands that can demonstrate that this latter state does not, or could not, obtain. This feature of MacIntyre's system, combined with the understanding that the most controversial and problematic moral conflicts are also the most in dire need of rational resolution, are the two most significant problems facing the Applied Ethicist who would adopt the SFLT in practice.

MacIntyre's theory of rational inter-tradition conflict has ended not with a bang, but a whimper: rational resolutions to cases of moral conflict are dependent upon contingent historical particularities. Rationality is irrevocably subservient to sociological processes, processes that we can, at best, optimistically hope will result in free and just societies, but are notably absent in the precise cases of moral conflict where we require them most. Interventions in irrevocably incoherent communities can never be rationally justified through appeal to MacIntyre's foundation-less universalism. In the coming Chapter, I leave MacIntyre and turn to the transcendental pragmatism of Karl-Otto Apel. Beginning with a chapter devoted to the unpacking of Apel's abstract architectonics of pragmatic transcendentalism, I return to several points left open with regards to MacIntyre: specifically, the role of validation of beliefs through discourse, the nature of a communication community, and how the aspiration to establish a universal foundation for moral discourse may yet be legitimised through a close analysis of the necessary conditions of rational communication.

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[120] Kenan Malik *does* challenge MacIntyre's rose-tinted historicism directly: "Premodern moral traditions may not have been Burkean, nor were they dying or dead, but neither were they as open ended as MacIntyre suggests. Not only were moral claims corseted by the social structures that gave them shape, but dissent, too, had to be constrained precisely because such dissent threaten to burst the corset and imperil the social order. From the execution of Socrates to the burning of Christian heretics, from the drumming out of Pelagius to al-Ghazali's insistence that certain Rationalist claims were not to be tolerated, dissent was always crushed, often most brutally." Malik, K. 2012.

Chapter III: Transcendental Pragmatics and Communicative Capacity

At the closing of the last chapter, I submitted two claims: firstly, MacIntyre and his proponents make a strong argument that cultural engagement and communities have a formative and frequently underestimated influence on an individual's immediate ethical perspective. The second claim was that MacIntyre himself could not rationally resolve cases of moral conflicts arising between two competing traditions. This chapter returns to the original query: with a proliferation of ethical values and interests, how may we come to justified normative criteria for their collective evaluation? I submit that Apel's theory of transcendental pragmatism enjoys greater success as a theory for transcending ones situated perspective than does MacIntyre's universal communitarianism. As with Chapter I's exposition of MacIntyre, this introductory chapter unpacks Apel's *denkweg,* culminating with an outline of discourse ethics, as both a rational procedure and as a set of substantive normative commitments. However, lest my reader be misguided by this talk of comparison and overlap and disinterested scholarly analysis, one point requires especial emphasis: Alasdair MacIntyre and Karl-Otto Apel have each proposed theories concerning the grounding of moral thought that logically exclude the possibility of their mutual acceptance. The gravity of the subject matter (the possibility of the foundation of moral thought) and the implications of one's conclusions proscribe one from adopting a perspectivist attitude and admiring each theorist as respective 'gems of scholarship'. Their projects are designed to be put to use, and to be used hard. It is a disservice to their work - and I personally believe to the practice of philosophy in general – to remit this gutsy, thorough, workaday grit for the illusory safety of academic speciousness.[121]

The possibility, criterion and foundation of moral validity is the pit of contention between MacIntyre and Apel. In contemporary times, moral certitude – its content, or possibility of discovery – has atrophied, yet our

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[121] This general attitude is in close alignment with MacIntyre's own perspective, elaborated upon by himself in a guest lecture 'On Having Survived Academic Moral Philosophy of the Twentieth Century', at University College Dublin, 2009. Apel also expresses a similar sentiment in his own Mercier lecture series: "I don't like to deal with philosophy and its partial disciplines, especially ethics, as a matter of course, say, as something that, among other topics appears in the lecture schedules of universities. Such an attitude, I think, would be in itself thoroughly unphilosophical. Instead I consider all constitutive parts and achievements of human culture as responses to the challenges of historical situations, or – and this the case with ethics – even as a response to the challenge of the human situation as such, say, in contradistinction to the situation of all animals." Apel, K. O. 2001. p.1.

confidence that the facts of the material world are within our grasp grows with each new scientific and technological development. By the time MacIntyre penned his thoughts on the crisis of modernity, the material world and intangible moral precepts had come to be perceived as categorically different: the former admits of verifiability – and so can make claims to objective truth, whilst the latter is a matter of belief, or custom, or preference.[122] As we have seen, MacIntyre makes a case that justifiable substantive moral precepts populate contemporary discourse, but that they are only accessible through the shared standards of the community that adheres to these particular standards of rationality.[123] As a result of this recognition of the multiplicity of justified moral perspectives, MacIntyre *begins* from a position that subordinates philosophy to the interpretive sciences of psychology and anthropology: the failure of philosophy to deliver one rational foundation for moral discourse can only be explained, according to MacIntyre, by the impossibility of realizing the aims of the Enlightenment project.

Yet in his fiery condemnation of modernity MacIntyre has obliquely brushed upon an important starting point for Apel: the preconceptions – and more particularly, the misconceptions – that are bound up in the scientific endeavours of modernity. If modernity has run into an aporia concerning the meaningfulness of moral discourse, it is not – charges Apel – incipient in the project of the Enlightenment, but rather with a misguided representation of the objectivity of science *versus* the subjectivity of moral claims; "The notion of intersubjective validity [has become] prejudged by science, name by the scientistic notion of normative neutral or value-free objectivity".[124] Acceptance of a categorical distinction between scientific and moral discourse leads one to conclude "[that] ultimately philosophy, which regards itself as scientific, abandon[s] the business of ethics in the sense of a direct justification of ethical norms."[125]

And this is precisely the starting point of analytic philosophy. The 'linguistic turn', as it has come to be popularised, is shorthand for the proposal that the philosophical project ought to be, a 'value-free' rational enterprise primarily concerned with the dissection of specific modes of language or of linguistic capacity *per se*[126]: "philosophical problems are problems which may be solved (or dissolved) either by reforming language, or

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[122] Apel, K. O. 1998. p.226
[123] Something similar is explicitly addressed by David Wong, who – like MacIntyre - affirms the appropriateness of speaking of 'moral truth', but advances that there are several truths, all conditional on the standards interior to a particular culture. "Two speakers may mean something different on the level of truth conditions by "adequate moral system" and therefore each may be saying something true even when one is prescribing that action X be done and the other prescribing that it not be done. Their judgments conflict on the practical level because one cannot conform to both judgments at the same time." Wong, D. 2006. P.xiii
[124] Apel, K. O. 1998. p.226
[125] Apel, K. O. 1998. p.229
[126] Apel, K. O. 1998. p.229

by understanding more about the language we presently use."[127] Their characteristic contribution "is a method" for the appraisal and dissection of philosophical problems.[128]

In contradistinction, hermeneutic theorists assert that the primary role of philosophy is one of mediation, self-reflection and interpretation between the particularities, historicity and idiosyncrasies of real modes of communication . Reflecting on the foils of communication, Gadamer writes "we say that we "conduct" a conversation, but the more genuine a conversation is, the less its conduct lies within the will of either partner."[129] So, analytic and hermeneutic theorists alike approve of close examination of the semantic presuppositions of everyday notions like 'conducting a conversation', yet their subsequent perspectives display a superabundance of contested territory: hermeneutic theorists accuse analytic theorists of attempting to superimpose artificial, deleterious and unwarranted constraints on the practices of real communities.[130] On the other hand, as we saw with MacIntyre, interpretative expertise in discourse should not be conflated with a possible critical function. In taking both perspectives seriously, Apel's opening gambit is to demonstrate that such dichotomies – scientific *versus* moral discourse, analytics *versus* hermeneutics - are neither accurate nor adequate reflections of the practices of a community of language users. And it is within the real communities of discourse that a universal foundation for the rational evaluation of moral expressions can be found.

What appears to obviously obstruct a universal foundation for moral validity is that – unlike empirical sciences – normative moral theory lacks a fixed external object of study. Normative ethics differentiates itself from science because its study is not of what ethics is (though this is the study of descriptive ethics, psychology, anthropology, sociology and so on); rather, normative ethics aims to provide a model of, and justification for, what ethics and morality ought to be. Positive statements, for instance, regarding the trajectory of a planet around the sun, can be determined through scientific examination and experimentation. Normative statements cannot be verified or falsified so easily – if indeed, one believes that they correspond to such values at all.

So it is clear from this characterisation of scientific discourse – a position of *scientism*[131] – that the observable apparently stands as the ultimate criterion for the truth or falsity of a particular scientific theory.[132] Yet frequently scientific theories can correspond to an observable phenomenon and still be demonstrated to be

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[127] Rorty, R. in Wagner, p. 2010. p.8
[128] Bergman, G. in Wagner, P. 2010. p.7. Wagner notes Gustav Bergman was the first individual to coin the phrase 'the linguistic turn' and that Bergman's evaluation of the linguistic turn, in particular with regards to logical positivism, was overall critical.
[129] Gadamer, H. G. 1989. p.383
[130] Grondin, J. 1997. Pp. 106 – 107.
[131] Norton, T. M. 1981. p.93.
[132] See the discussion of scientific realism and its relationship to theory plausibility furnished by Anjan Chakravartty: Chakravartty, A. 2013.

insufficient (as with Lamarck's theory of inherited characteristics) or alternatively, conditions preclude easy observation of the object itself. Even stranger, novel theories in science can be confronting and perplexing. They may superficially bear very little resemblance to existing models, and because of this, it might be very difficult to visualise how such theories can, or could, explain present phenomenon. Regardless, the scientific merit of such theories may be recognised several years after their conception – as was with the theorising of the existence of the Higgs-Boson particle. So what, in these cases, is the criterion for one theory to be held in higher esteem than another?

Apel's answer is that the final criterion of scientific certainty in such matters does not rest on the shoulders of any final adjudicator, nor on external phenomena themselves, but on the *intersubjective consensus of the community of critical investigators*[133]. Juan Fontrodona puts it aptly: "Although reality is not a matter that is decided arbitrarily by the scientific community, the agreement reached by the scientific community is a clear sign that [a particular] belief matches reality."[134, 135]

Hence, Apel's first claim is that intersubjective agreement held by a community of critical investigators (here, comprised specifically of the scientific community) may make a legitimate claim to certitude, in terms of a "consensus theory of truth."[136, 137] His second claim is that, with regards to postulating and redeeming of hypotheses concerning the nature of the external world, consensus itself between able critical investigators retains its standard as the agreed criterion for the validation of *any possible knowledge* proposition in the scientific community. When, for example, you and I both conduct respective experiments, and agree that the results rule out one hypothesis, whilst lending support for another, our agreement *redeems* and *validates* our respective belief that the second theory retains superior explanatory power. Apel's third claim is that *all possible knowledge* – whether it be of a scientific or of an ethical nature – is arrived at only through participation in such

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[133] Apel, K. O. 1998. Pp.138 – 139, p.149

[134] Apel's discussion of the pragmatic presuppositions of the scientific community draws heavily and consciously on C.S. Peirce's three proposed functions of the sign – the syntactic, semantic and pragmatic aspects of communication. Eduardo Mendieta provides a concise discussion of the utilisation by Apel of American pragmatism (also known as pragmaticism) and the prioritisation of the pragmatic features of communication in *The Semiotical Transformation of Transcendental Philosophy*. See Mendieta, E. 2002. Pp. 73 – 103.

[135] Fontrodona, J. 2002. p.174

[136] Apel, K. O. 1998. p. 137

[137] In order to preserve clarity, the remainder of this thesis refers to the product of intersubjective critical discourse as providing certitude or intersubjective validity and not truth *per se*. This is so to excise from the body of this thesis (1) a discussion of the possibility and criterion of moral 'truth' and (2) confusion in the reader resulting from a possible conflation of the terms moral truth with moral objectivity and other similarly loaded terms.

a community of critical investigators[138], and his fourth claim is that engagement in such a community entails *necessary commitments* by all interlocutors that form the 'ground floor' foundation of their communication.

The discussion on pragmatic suppositions of science may strike one as diversionary: the scientific community is the kind of community in which a person may voluntarily opt in, or – just as freely – leave. If this is so, we apparently arrive back at a reformulation of the multiplicity of MacIntyre: "Any claim we can make to know something is linked to *a language* shared with others and thus to 'the observance of rules which are under public supervision.'"[139] This, of course, leads to the same problem of finding a basis from which language games may be normatively evaluated: "If the self-understanding of language is due to a particular ontological-ontic configuration that determined that very self-understanding, how then can languages self-reflexivity turn into a critique?"[140]

Apel's answer is concise: whilst language communities are delineated by the kinds of semiotic transactions specialised within that community, the necessary presuppositions of *communicative capacity* constitute the 'first language'. In short, what makes Apel's theory of transcendental pragmatism distinct from other language games is that it expresses the pragmatic presuppositions of language *that we cannot 'opt out' of:* "One *cannot* decide to affirm or negate the norms of the transcendental language-game from a position *outside* the language-game."[141] Two questions come to the fore: What exactly, are the 'necessary presuppositions' entailed by ones communicative capacity? And what reasons do we possess for believing that Apel's assertions are, indeed, correct?

To begin, the most basic premise of the communicative capacity is the necessary presupposition that *all real argumentation aims towards complete rational consensus[142]*. The second presupposition is that *complete rational consensus can only obtain in an ideal discourse community*.[143] As a result, all argumentative communication necessarily *aspires to realise the conditions that obtain in the ideal discourse community*.[144] Any

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[138] This claim parallels Wittgenstein's dismissal of the possibility of a 'private language' in §§244–271 of *Philosophical Investigations*. It also entails that inward experiences that cannot be communicated to an outsider – my own particular *qualia*, or perception of my own consciousness – cannot enter the public realm of discourse and so are excluded from the realm of intersubjective validated knowledge. Fundamentally, I cannot rationally make a claim to "know something as a truth" or find truth in a personal revelation unless my claims may be made the subject of a subsequent critical assessment.

[139] Vandevelde, P. in. Apel, K. O. 1998. p.xx.

[140] Mendieta, E. 2002. p.45.

[141] Apel, K. O. 1998. Pp. 138 – 139.

[142] Hedberg, P. 2012. p.86.

[143] The ideal communication community is also sometimes referred to as the 'unlimited' communication community. Mendieta, E. 2002. p.124.

[144] "Consequently, where *fundamental grounding by means of transcendental reflection* is concerned, the person who philosophizes need not *choose* membership of a critical communication community. He can only explicate this presupposition more or less adequately and intentionally reinforce the norms contained within it, or he can fail to perform this

interlocutor that attempts to advance a rational claim, but simultaneously denies that these presuppositions apply to them, commits a *performative self-contradiction*.[145] Apel summarises it as follows: "[When] the self posits both its object and itself as thinking entities, the self must, at the same time, identify itself with the transcendental communication community which alone can confirm the *validity of meaning* of its own knowledge of self and the world. Without this *transcendental-semiotical* presupposition of cognition [...] the latter cannot become the subject of *argument*."[146]

To see how this claim plays out in concrete discourse, let us return to the scenario of the two rational interlocutors, one of whom has advanced a particular claim *as a valid moral claim*. The second critical investigator, in possession of their own particular beliefs and values, has submitted the proposal to critical scrutiny, and formed the conclusion that the *claim is indeed a valid claim to make*. But these two investigators may be misled, or duped: they may, for instance, both share a 'blind spot' with regards to their particular critical faculties, or they may begin from corresponding axiomatic assumptions. So a *third* investigator, different again, enters the discourse – and supports the claim. But would we not have a greater certitude if a *fourth*, and a *fifth*, interlocutor were all in agreeance with regards to the validity of the claim? Indeed, could we not reach absolute certitude of that claim *only* if it is rationally endorsed by an *infinite number of critical investigators*?

 If your answer to the above question is 'yes', then Apel argues that you have ethically subscribed to the regulation of real discourse by the counterfactual positing of the ideal community.[147] The ideal community of discourse is composed of an infinite number of interlocutors, equal in their enjoyment of uncoerced speech, their accessible resources, and their critical capacities.[148] Each interlocutor represents a uniquely concerned individual, with a unique history, unique interests, and a unique ethical perspective; they represent an entire spectrum of individuals that have, or could, ever be affected by the assumption or expunction of a claim. In short, the ideal discourse community possesses *intersubjective omnipotence*[149].There is nothing is hidden, or withheld, or overlooked, within in the ideal discourse community.

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transcendental reflection, or intentionally renounce the norms of the transcendental language-game as obscurist. The latter [..] must also destroy the possibility of solitary self-understanding and hence of self-identification." Apel, K. O. 1998. p.138.

[145] Eduardo Mendieta extrapolates on the concept of the self-contradiction as follows: "In other words, argumentative discourses, if they are not to be self-annulling, must not fall prey to "performative self-contradictions", or, put differently, they cannot be propositionally negating what they assume pragmatically – a case in point is 'all reason is only but instrumental rationality.'" Mendieta, E. 2002. p.119.

[146] Apel, K. O. 1998. p.138.

[147] Chapter IV presents a challenge to Apel's transcendental pragmatics, by introducing a critic of transcendental pragmatics who asserts that their denial of this question *does not* entail a performative self-contradiction.

[148] Apel, K. O. 2001. Pp. 49 – 51.

[149] Apel, K. O. 2001. pp. 49 – 51.

But the ideal discourse community does not obtain in real discourse, if indeed, it ever could.[150] As this is the case, what does the fallibility of the real community entail for us, as rational interlocutors? Apel's response is that the imperfect nature of real discourse should not worry us unduly[151], but that those imperfections do place a non-optional ethical commitment upon us to *bring instances of discourse into closer alignment with the ideal state of discourse*.[152] As real discourse strives to actualise these conditions of equality and reciprocity, Apel argues that the real discourse community will be able to better assess the intersubjective validity of specific normative claims, and hence, to better realise the telos of argumentative-communication (i.e. to critically arrive at precepts of intersubjective validity).This commitment is formalised as a set of ethical commitments collectively known as discourse ethics.

The project of discourse ethics represents Apel's formulation of the *regulative ideals* that are intended to bring the real community into closer alignment with the ideal community. Hence, the procedural norms of discourse ethics formalise the criteria of validity which any valid proposition must adhere to: if a norm cannot be intersubjectively evaluated, it cannot express a universal precept that demands our obedience. Viewed in this light, it can be characterised as the conversion of a deontological moral theory of universalisability into a theory of practical argumentation.[153] However, Apel also intends that discourse ethics also produce substantive normative precepts – specifically, an 'ethics of co-responsibility' - that would guarantee moral interlocutors ensure that the material and discursive needs of their cohorts. The contents of these two facets of discourse ethics – the procedural and the substantive - are explored in closer detail below.

As interest in the application of ethical guidelines for discourse has grown over the past years, the procedural principles that discourse ethics is famed for have found expression in a number of variations.[154] Yet though their expressions are multifarious, the main procedural precepts of discourse ethics – transparency, reciprocity, equality and sincerity – and their culmination in a principle of universalisation, remain remarkably consistent.

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[150] Apel, K. O. 2001. p.74.
[151] i.e. non-ideal conditions of discourse ought not to preclude us from submitting any claims *at all*.
[152] Apel, K. O. 2001. Pp. 93 – 94. and Mendieta, E. 2002. Pp.125 - 126.
[153] Mendieta, E. 2002. p.124.
[154] For an account of discourse ethics as derived from Apel's transcendental pragmatics, see Mendieta, E. 2002. For a comprehensive account of Habermassian discourse ethics, derived from universal pragmatics, see Rehg, W. 1997. For a concise comparison of Apelian and Habermassian framing of discourse ethics, refer to Kaldewaij, F. 2012. For the application of discourse ethics to specific scenarios commonly encountered in the field of business ethics, see García-Marzá, D. 2012. For a defence of 'pragmatic discourse bioethics', and a discussion of consensus within the biomedical community, see Cooke, E. 2003.

As Apel comments, given the commitment to the ideal community as one of the presuppositions of argumentation, "we know that we want to solve all problems – and thus also all moral problems – through arguments only". This already places a basic restriction on the multitude of moral precepts contending for universalisability: might cannot be conflated with right. The apex of procedural principles is that the only kinds of argumentative resolutions that can be characterised as truly moral in the ideal discourse community are norms that can be found acceptable to all moral interlocutors, when all moral interlocutors have been disabused of conditions that would undermine or preclude their rational critical faculties.[155] However, discourse is not undertaken for the sake of discourse, but with the intention of the actualisation of the Principle of Universalisation [U]: "All affected can accept the consequences and the side effects that [the norm's] general observance can be anticipated to have for the satisfaction of everyone's interests, and the consequences are preferred to those of known alternative possibilities for regulation."[156]

But does the actualisation of [U] entail that all moral interlocutors must necessarily end by sharing a unified conception of the good life? Apel argues no, acceptance of [U] does not necessitate that all interlocutors must share a basic commitment to one goal (as MacIntyre postulates) - but it *does* require that all goals of life pursued are in accordance with [U]. As Apel grandly states it "[discourse ethics] implies the moral task of our trying again and again to imagine a possible progressive course of history towards *those goals* whose realization can be postulated in an universally valid way […] discourse ethics does not prescribe an unified form of life."[157]

Traditions, values and varying conceptions of the good life, the types of which preoccupied MacIntyre, are encouraged to find expression in the discursive sphere: "*all* human needs as potential claims […] must be made the concerns of the communication community."[158, 159] Substantive moral principles cannot be reached *without* the expression of such particularities and idiosyncrasies of the conditions of social life. This is why discourse ethic priorities real communities, distinguishing itself from 'derivative dialogical exercises' in one's imagination, such as Rawls' 'Veil of Ignorance'. On the one hand, its transcendental pragmatic foundation is

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[155] This is formalised as the Principle of Discourse [D]: "Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse." Rehg, W. 1997. p.66.
[156] Habermas, J. 1991. p.65.
[157] Apel, K. O. 2001. p.75.
[158] Apel, K. O. in Kaldewaij, F. 2012. p.3.
[159] As a reminder, to do so would be a performative self-contradiction i.e. claiming to adhere to the principle of universalisability when in reality excluding affected parties from discourse. Apel, K. O. 2001. Pp. 79 – 81.

"independent from the facts of the history", but its application is necessarily "dependent on the situatedness of ethics within history".[160]

However, discourse ethics does require primarily a self-reflexivity with regards to one's particular commitments: for the purposes of discussion, the immediate and normative demands of particular traditions must be suspended, so "a mutual understanding of different need interpretations [may develop], such that participants could agree on modes of cooperation within which different ideas of the good of human life can at least co-exist."[161] The self-reflexivity clause of the expression of one's particular interests are related to the principles of reciprocity and sincerity: one must enter into the sphere of discourse with *sincere intentions* to conduct oneself according to the procedures of discourse, and one must acknowledge that rights to freedom of speech and non-coercion that one enjoys must also be *reciprocated* by oneself, towards ones fellow interlocutors.

This last paragraph also indicates that the rights attributed to each participant in the discursive sphere safeguard against overt or implicit forms of coercion and inequality. The first, inequality through overt coercion, may be experienced when the tyranny of one dominant tradition retains its power in public discourse through physical force, threats (implied or explicit), bribery and/or strategic bargaining to silence their critics. As I noted earlier, discourse ethics excludes displays of force and intimidation from masquerading as moral superiority. However, discourse ethics can neither rationally or consistently legitimise arguments that call for the rightness of strategic silencing of opponents.

The second kind of inequality that may obtain between discourse partners is implicit inequality – that is, inequalities that do not stem from deliberate or belligerent actions from one party to another, but differences in wealth, social status, political power or education that influence the direction and nature of the discourse undertaken. Habermas has neatly expressed the equality presupposed by discourse ethics as only the "forceless force of the better argument [that determines the conclusions reached.]"[162] Moral interlocutors have a right to have their interests and perspectives heard, but they are also bound, through their participation, to rationally engage with competing or opposing parties in cases of moral conflict. Engagement in this case, requires firstly that such dissenters are given space and the resources necessary to voice their counter assertions, and from there, that such counter assertions are considered part of an argumentation process: criticism must be responded to, not denied, on pain of the principle of non-contradiction. But further, Apel will argue that the principles of *equality*

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[160] Apel, K. O. 2001. p.75.
[161] Rehg, W. 1997. p.81.
[162] Habermas, J. 1991. p.108.

and *transparency* – themselves entailed by the aspirational relationship between the real and ideal communities - entail that discourse itself cannot be 'nominally' or 'trivially' free, but substantively so. Apel argues that discourse ethics necessarily entails a non-optional assumption of specific, action-guiding normative principles on the part of the moral agent that I collectively outline as *set of substantive ethical precepts*.

> "…Now, for those cases, in which the demanded application is impossible, a *supplementation* of the *ideal* demand of discourse ethics is needed, since persons with good will in those situations need to know what they *ought* to do…"[163]

The discussion below is concerned with providing a brief outline of discourse ethics as the foundation for substantive ethical principles; a critical evaluation of the success of Apel in providing concrete normative principles is undertaken in the following, and final, chapter. By "substantive ethics" I am referring to the sections of Apel's project that *instruct us on what we ought to do as moral persons*, rather than an expression of the criteria for the validity of possible moral principles. Apel's two main streams of thought concerning the contents of our specific obligations are (i) an "ethics of co-responsibility" and (ii) a "macro-ethics of humanity."[164]

In this final evolution from the ideal to the real community, Apel supplements the Principles of Discourse [D] and Universalisation [U] with one further principle, Principle [E][165]: "All possible discourse partners are supposed to bear *equal co-responsibility* for identifying and solving problems of the life world through argumentative discourse."[166] Principle [E] stands as Apel's recognition that formal discourse ethics is substantively empty – and hence trivial in application – unless it can also provide moral solutions to "genuine conflicts of interest in the life world outside the philosophical discourse."[167,168] Hence, his ethics of co-responsibility are primarily concerned with an expression of the normative principles that present participants of discourse *owe to each other*. Collectively, they are directed at actualising the conditions of the ideal discourse community in the real communities. These substantive principles are universally justified in that recognition of the necessity of free discourse in the moral discursive sphere places a *particular responsibility* on each and every member of the discourse community to ensure that these ideal conditions are realised in concrete discourse. This responsibility is *reciprocal*, because the normative responsibilities I am rationally obliged to fulfil towards others

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[163] Apel, K. O. 2001. p.91.
[164] Apel, K. O. 1998. p.226.
[165] [E] refers to the German name for the principle – 'Ergänzungsprinzip' (trans. 'Supplementary Principle')
[166] Apel, K. O. 2001. p.48.
[167] Apel, K. O. 2001. p.79.
[168] This quote of Apel's illustrates his sympathetic alignment with a corresponding thesis of Karl Marx: "Philosophers have hitherto only interpreted the world in various ways; the point is to change it." Marx, K. 1845.

are also experienced by myself as a bearer of actual rights in discourse, safeguarded by the self-same normative obligations that others fulfil. Because I enjoy conditions of free discourse myself, I am reciprocally responsible for their continued safeguarding.[169] *If* these normative principles can be found to be universally obligatory, they constitute a transcendental movement of the situated moral subject *from* a culturally determined ethical perspective *to* a specific normative position that might rationally claim moral universalism.

Let us leave these heavy abstracted arguments for a moment, and imagine an individual in a position of great power. This person may voluntarily grant a boon of free discourse in some favourable or trivial situations, but dictate the terms with regards to other more substantial moral conflicts. In these conditions, the discourse undertaken is not 'serious' because at any moment, it may be instrumentalised, corrupted or marginalised in order to achieve the 'pre-fixed' interests of a certain powerful interlocutor.[170, 171] The particular thought experiment Apel relates in *The Response of Discourse Ethics to the Moral Challenge of the Human Situation (as Such and Especially Today)* is that of a slave owner, who knowing that one of their slaves is a learned philosopher, engages with them in a discussion of the merits of slavery and a just order of society. In this case "for the time of the discussion the slaveholder conceded equal rights of speaking between him and his slave, but when he lost his interest in the discussion, he ordered the slave to return to his work, as if nothing special had happened."[172]

So Apel asks, what is rationally wrong with the behaviour of the slave owner? Our response to this question, as we have seen, cannot be founded solely in the cultural standards of contemporary, liberal times (i.e. "In modern times, slavery is wrong"). Nor can it depend upon an emotive assertion: "Slave owners are bad people". Surely we can imagine that the slave owner himself lives by a set of ethical principles, that he is honest when he enters into contracts with other free parties, that he tries to develop his abilities according to some virtuous and meaningful conception of human life, that he takes his commitments and private decisions with appropriate gravity. However, comments Apel, by only subscribing to a voluntary and temporal commitment to discourse, he commits a *performative self-contradiction*: the slave owner is argumentatively – and hence morally - inconsistent. His performative self-contradiction is his recognition that rational discourse with his slave is only possible on the presupposition that the slave himself possesses moral autonomy – that is he capable of reason, of

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[169] A point more explicitly taken in Habermas, but excluded from explicit discussion here: I might choose to exclude myself from the discursive sphere but this endeavour might prove to be so practically problematic as to prove to be a topic of abstract consideration only.

[170] Apel, K. O. 2001. p.80.

[171] Habermas foresees the potential for the abuse of discourse ethics in this way and hence focuses on the remedial natures of extant legislative and political institutions to preclude this corruption of the substantive principles of discourse ethics.

[172] Apel, K. O. 2001. p.80.

rational communication, and of interests that stand independent to his masters'. Yet the product of the discourse – the recognition of the slave himself as a moral agent – was never realised in the community that fostered the discourse in the first place. Unfortunately, whilst we may come to know exceptional individuals that reside in any culture – individuals who do not need additional spurs to act consistently graciously towards other beings in general – most of us are far likelier to resemble the slave owner: blind to our own moral inconstancies, and content, when unprodded, to leave a beneficial-but-unfair status quo as it stands.

To recap: Apel has previously concluded that all moral discourse is argumentative, in that it expresses a normative proposition that its user regards capable of being demonstrated as a universally rationally valid. But concrete moral discourse is frequently only nominally rational, in the very specific sense that Apel accords it: discourse partners stand in unequal positions of power, or resort to strategic tactics of bribery or violence to silence or marginalise their less powerful critics. Such acts are clearly unfair, and it is not eyebrow raising to claim that these conditions are *morally wrong*. But – and this is the important question – are these conditions wrong because they represent a cultural affront to Western, liberal sensibilities? Or are these powerful interlocutors morally condemnable because their acts of coercion performatively contradict their claim to possess rational moral certitude?

As we have seen with MacIntyre, only the second criteria of moral condemnation stands a chance at acting as the determining criteria to distinguish between *culturally-biased offense*, and *universal moral wrongs*. Rational validity cannot be intersubjectively established when discourse is determined by bullying, by ostracism, by bribery or by disparities in wealth, power and education – these conditions stifle or preclude the exercise of the rational capacities of moral agents. When a particular group of individuals in discourse claim to participate in moral discourse, but do not abide by Apel's ethics of co-responsibility, they subvert the conditions of discourse that they rely upon to obtain in order that they may participate in discourse at all. These acts represent an instance of a performative self-contradiction; they are also rationally, universally condemnable.

Hence, Apel intends that the application of discourse ethics to real world problems be transformative twice-over: it cultivates conditions of reciprocity, equality and solidarity between real interlocutors whilst at the same time it supplies a framework of procedural resolution appropriate to cases of concrete conflict. That said, the scope and specific contents of an ethics of co-responsibility is an extensive, and – as it stands – amorphous expression of personal moral responsibility. Overt displays of force and dishonesty in the discursive sphere certainly represent a problem, but such undermining of discourse is generally assessable: a particular set of

actions can be identified, perpetrated by a particular group or individual, and their direction and intent is clear. On the other hand, implicit inequalities are all the more invidious because they are the result of cumulative detrimental conditions, spanning across generations. That such inequalities – in resources, in education and political power – exist, is apparent, and their detrimental effect on discourse is easy to discern. A lack of freedom of speech, or of availability of appropriate knowledge, or education, can strangle discourse almost entirely. The fact that oppressed individuals have a right to participate in discourse is immaterial if they cannot exercise their right due to repressive cultural and legislative control, or due to implicit conditions of inequality with regards to education or social power.

Chapter IV: Critically Assessing Discourse Ethics

This last, and final chapter offers a critical assessment of Apel's project to derive a specific normative framework of ethical 'co-responsibility' from transcendental pragmatics. I contend that Apel has not successfully delivered his proposed capstone of discourse ethics - "a foundation for a collective assumption of moral *responsibility* in the scientific age."[173] Because he cannot guarantee this, his proposal for a transcendental foundation for substantive ethical rights of the moral person also fail to obtain. Whilst I conclude that discourse ethics can successfully justify the assumption of procedural principles of argumentative discourse, I submit that it cannot guarantee such specific moral precepts as Apel wishes to formulate: discourse ethics, for instance, cannot rationally justify Apel's positive injunction to work towards ecological sustainability or the elimination of extreme poverty as a *pre-condition* of pragmatic communication.[174] Why is this the case, and where precisely does the problem lie?

The second half, responding to this challenge of discourse ethics (in light of the specific Apel-MacIntyre comparison established here) asks what the implications of this problem admit to the ability of discourse ethics to provide a foundation for *rational criticism of existing moral practices*. What value does discourse ethics retain (if any), if we acknowledge that substantial problems are apparent in the arm of it that intends to produce normative principles? We have seen that MacIntyre falls short on this account to secure a universal foundation for critical engagement with cultures and perspectives different to our own, and vice versa (that other cultures cannot critically engage with our own on a moral level). Does Apel succumb to the same fate? In concluding my thesis, I argue that this is *not* the case, and that there are substantial rationally universal reasons to rank Apel's theory above that of MacIntyre. Discourse ethics may not be able to tell us what we *ought to do on the world stage*, but it still succeeds in determining what we *are not rationally permitted to do* in specific cases of moral conflict

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[173] Apel, K. O. 1998. p.276.

[174] It ought to be noted that the division of discourse ethics into its respective procedural and normative arms is a move taken by Apel himself, but my latter submission that one is successful whilst the other is not is clearly at odds with Apel's own position. Apel recognises a respective structural difference between the two, but is adamant that "the simultaneously binding *teleological* principle of *changing and improving the application conditions of discourse ethics in the long run* is indeed essentially the same in *part A* and *part B* of discourse ethics." and indeed, that both arms are methodologically sound. Apel, K. O. 2001. p.94.

I submit that the first challenge facing discourse ethics stems from the ambiguous nature of the relationship between the ideal and real communities respectively. It is not clear how this abstract relationship must necessarily entail the claims that Apel wishes to derive from it i.e. "a global or planetary *macro-ethics*"[175] including, in part, "an order of *social market economy on a global scale* that would prevent, or respectively, compensate the present exclusion of the masses of the poor in the Third World from the achievements of economic provision."[176] These claims are both extraordinarily large and very specific. As such they require a proof of substantial heft to redeem their normative validity.

The general ambiguity I mentioned above conceals a more fundamental problem: that Apel's specific interpretation of the relationship between the real and ideal relies on pre-supposed sentiment of human solidarity not derived from his transcendental pragmatics. The required proof is not forthcoming. This significant failing may leave one inclined to question whether discourse ethics retains any universalisability *whatsoever*, a claim I will critically approach later. However, first, I would like to return to the specific claim Apel's substantive ethical precepts fail, and indeed, had to fail, because they are necessarily in conflict with the prior procedural methodology. In brief, Apel's procedural process of discourse ethics relies on substantive and conflicting interpretation of a contested situation, whereas his desire to produce rationally justified specific, positively directed, normative principles *from the foundation upwards* (a) precludes this hermeneutic dialogue, and (b) depends on a pre-existing moral sentiment of solidarity that we cannot suppose all moral interlocutors hold. As a result, hermeneutics itself occupies a curious and uneasy position within Apel's overall architectonics, and Apel cannot rationally demonstrate that his normative principles are entailed by acknowledgement of the conditions of transcendental pragmatism.

Discourse ethics – though it falls in the deontological spectrum of moral theories – firmly and consciously distances itself from deontological moral theories that begin with the positing of *one rational thinker working in isolation from a public world*[177]. Such a position, Apel argues, cannot be a productive one, because it does not take into account the necessity of shared languages to perspective formation: "Thinking, understood as argumentation, always presupposes, in principle, the existence and cooperation of discourse partners."[178]

Further, these discursive partners must have the capacity to make interest claims or interpretations of a kind radically different to our own. Rational validation through argumentation presupposes that discourse

[175] Apel, K. O. 2001. Pp. 1 – 2.
[176] Apel, K. O. 2001. p.12.
[177] Mendieta, E. 2002. Pp. 41 – 43.
[178] Apel, K. O. 2001. p.46.

partners claim *substantive differences* upon entering into discourse – otherwise the conflict is not germane in terms of a divergence of rationally considered opinions. It is also essential that these different interlocutors be permitted and capable of expressing their difference in their own words, by their own standards. Given the above, it is reasonable to anticipation radical challenges raised in discourse. From the commencement of discourse, several contested issues are intimately concerned with establishing a critical consensus on which precise interpretation of the real-ideal relationship is rationally superior, and why this particular conception ought to obtain, to the exclusion of the presently-possible others.[179]

However greater specificity of 'pre-emptive' normative principles inversely diminishes the dialogical space available for their interpretation. Leaving aside – for the moment – the question of whether we *can* justify such specific moral norms, consider this: why is it *methodologically necessary for Apel* to discuss what consent, or equality may mean to a Muslim, or a Buddhist, a man or a woman, when *what equality means to a moral interlocutor* is already so specifically unambiguous? Very strongly, why does Apel – and by extension, why should we – value the interpretations of the real discourse community *at all*, if we – alongside Apel – believe that positive norms (i.e. universal demands on moral interlocutors to eliminate poverty and oppression) are already presupposed within the framework of discourse ethics? Why does actual, historical difference matter in discourse, when the end result – universal substantive rights to freedom of discourse - is apparently preordained upon our non-optional entry into the process of argumentative ethics?

It is clear *why* Apel desires to apportion basic substantive rights as beyond re-interpretation, but he has not succeeded in establishing that this is the case. Normative principles of equality, rights to freedom of speech, and so on, lose their clear status as basic substantive rights, if they are subject to radical reinterpretation on the cultural-historical grounds. What kinds of substantive discourse rights can interlocutors enjoy, for instance, if particular historical-cultural communities forbid the questioning of their religious or political agendas? Here, there is a very real risk that real communities, in undertaking discourse *through their own historical lens,* may introduce ideological elements to the process of discourse that undermine the procedure itself, and hence, invalidate any prospective rational ethical consensus attempted within that real community. But if substantive rights that guarantee salient parities between interlocutors are entailed by pragmatic presuppositions of communication, then they preclude their contravention on historical or cultural grounds. As such postulated rights are not entailed within, and solely from, pragmatic transcendentalism, we are drawn to the second

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[179] See Benhabib, S. 1985. for a discussion of utopian ideals in terms of Habermassian discourse ethics.

conclusion: that Apel's substantive ethical precepts are an addendum, justified on grounds beyond rational inference.

In real conflict, the differences necessary for a non-trivial discourse are often the precise kinds of differences that we find morally controversial, and – if we take these differences seriously – we are likely to find that our discourse partners are individuals who may believe that the interests of some third party simply do not matter. We may find ourselves in discourse with Apel's slave owner, who acknowledges the rational capacity of their slave, but does not see a moral imperative to stand against slavery on principle. In the case of the slave owner, do they in fact commit a *performative self-contradiction,* if they insist on maintaining that their slave is a rational being, but that this fact in itself does not oblige them to necessarily – *before even entering into discourse* – to secure for their slave full freedom (e.g. to full participation in political arenas, to freedom of movement, etc.)?

It would be inconsistent for the slave owner to deny that their slave possesses rational capacity, having entered into – and successfully maintained - rational discourse with them. It would be wrong for the slave owner to promise reforms during the course of, or at the conclusion to, their conversation, but to capriciously withhold or evade these commitments out of self-interest.[180] These conclusions may be deduced entirely from the procedural principles of discourse ethics – having entered into discourse, any of these claims indicate that the interlocutor is subverting the kinds of public rules of discourse that regulate discussion – a commitment to honesty, and so on. But can we *rationally condemn* the slave owner for their scepticism of the notion of human solidarity, or their dismissal of the notion of some universal brotherhood of man? Apel's slave owner is an individual who simply does not perceive the moral saliency of human solidarity – or, at any rate, does not see that human solidarity extends to their slaves, or that this particular conception justifiably trumps other competing notions of human solidarity. If we cannot trace back a logical chain of argumentation – if we are simply reduced to replying 'You ought to accept human solidarity and human solidarity means *this'* – then we have no more engaged in rational discourse to a greater extent than any other dogmatic rhetoric, and the basic transcendental suppositions of discourse ethics are thwarted.

As with MacIntyre, I personally find Apel's inclination to be concerned for the vulnerable and oppressed a laudable inclination - but an inclination none-the-less. It is entirely understandable that we *would like* to able to point at specific instances of unfair, or unjust, or cruel, treatment of human beings and condemn

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[180] Apel, K. O. 2001. Pp. 80 – 81.

them outright and absolutely by appeal to such normative principles as Apel desires to provide. However, in order to transform discourse ethics to function primarily as a normative theory, I contend, depends on the assumption that some form of human solidarity is already presupposed by all moral interlocutors – a form of solidarity that would already render them amenable and inclined to help those who require it.[181] In this instance, the issue on the table for discussion would not be whether some individuals merit moral consideration *at all*, but *what kind* of assistance would best bring these groups up to the material and education standards that would equip them to meaningful enter discourse and claim their rights for themselves: the cooperation and solidarity of such vulnerable parties is already presupposed, and hence non-problematic. Ultimately, discourse ethics, as it stands, can no more make a rational claim to derive such human solidarity *from* transcendental pragmatics, than MacIntyre can rationally appeal to a similar conception of 'human solidarity' to modify or ameliorate the violent inclinations of one culture towards another. With regards to the rational justification of a set of ethical precepts, discourse ethics' reach exceeds its grasp.

On recognition of the problem apparent in the discourse ethical framework, we must ask ourselves whether such a problem indeed disposes of discourse ethics wholesale. As Apel's discourse ethics apparently suffers from a similar failing as did MacIntyre's universal communitarianism, is neither theory superior to the other? MacIntyre's critique of the Enlightenment was the springboard from which we recognised that cultural investment – particularly through languages, language games and shared critical frameworks – pervaded our personal identities and perspectives. Indeed, our involvement within a complex social nexus makes it impossible to negate, and very difficult to entirely repudiate, the effects of our exposure to specific cultural arrangements and our corresponding beliefs. It is clear enough that we begin in the fishbowl, but are we condemned to remain there?

If the answer to either question is an affirmative, then we must indeed draw the conclusion, that despite their best efforts, neither Apel nor MacIntyre present their audience with a viable option to rationally and universally transcend the precepts of their own historical situation. We are condemned to think in paths that have been trodden down for us, or – if not this – then our flights into new, potentially uncharted regions of moral and ethical territory have little critical bearing on those that simply do not see their worth. However, I am *not* going

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[181] Apel himself has already implied that this more specific goal is a stated aim of discourse ethics, in an earlier quote: "A supplementation of the ideal demand of discourse ethics is needed, since persons *with good will* in those situations need to know what they ought to do […] Hence it ideally belongs to the co-responsibility of all discourse partners, to care for a supplementation of the procedural norms of the ideal practical discourses…" Apel writes specifically with regards to cases where affected parties cannot, or will not, join in discourse, but the salient point to make is that the co-responsibility clause is clearly desired, *but not warranted*. Apel, K. O. 2001. p.91.

to answer these questions in the affirmative, but with a most emphatic 'No'. No, when it comes to determining how historicity and ideas of moral universalism relate to each other, Apel and MacIntyre are not on par. No, I submit, Apel does indeed present the reader with a demonstrateably rationally superior response to the challenge before us.

To substantiate this claim, I return to explore the second challenge submitted at the outset of this chapter - that the superstructure of discourse ethics itself is possessed of an unwarranted and extensive imperialism. To elaborate: not only are the substantive ethical precepts of discourse ethics unjustified, but the procedural norms of discourse ethics too, are ultimately ungrounded. Discourse ethics' critic in this instance is Hans-Georg Gadamer, who denies the claim that all argumentative discourse adheres to the presuppositions of transcendental pragmatism – specifically, the claim that all argumentative discourse necessarily aims towards rational consensus. Gadamer provides a different theory of dialectical encounters, and derives from it an 'ethics of difference'. In order for Apel to successfully redeem the universal warrant of discourse ethics, he must successfully demonstrate that transcendental pragmatism is both rationally and necessarily universalisable (i.e. *non-retrocedable*), in ways that Gadamer's naïve hermeneutics is not.[182]

It is Gadamer's contention that many languages have little or no concern for coherency and consensus in modern moral and ethical discourse – whereas, as we have seen, Apel argues that *rational consensus* is the cornerstone presupposition of *argumentative communication*. This descriptive claim forms the basis of Gadamer's subsequent normative position: that one *ought* to engage in discourse firstly, by articulating what understanding of one's self impedes other alternative interpretations[183], and secondly, working, albeit asymptotically, towards an open dialectic that helps us overcome the tendency of our personal prejudices to slip into statis.[184]

If Gadamer is correct in his descriptive assertion, these languages that do not aim for consensus apparently survive without necessarily committing themselves to Apel's transcendental pragmatic presuppositions. If "… language itself can be seen only as contingent and historical, […] it does not seem to

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[182] I would like to stress at this point that I employ the term naïve as a description of something 'pure, uncombined or with an absence of artificiality', rather than in a derogatory manner, as to refer to something as credulous or lacking in sophistication.

[183] It ought to be noted that Gadamer understands bias and prejudice as a necessary, but not necessarily negative, facet of situatedness. Grondin summarises Gadamer's exposition as the observation that "every act of understanding, even self-understanding, is motivated, stimulated by questions that determine in advance the sight lines of understanding. A text is given voice only by reasons of the questions that are put to it today. There is not interpretation, no understanding, that does not answer specific questions that prescribe a specific orientation." Grondin, J. 1997. Pp. 116 – 117.

[184] "Transposing ourselves [i.e. coming to a different understanding of the world and our relationship to it] […] always involves rising to a higher universality that overcomes not only our own particularity but also that of the other." Gadamer, H. G. 1989. p.305.

offer itself as a likely warrant for a claim to universality. […] There is not "language" per se but only language games, particular games, phrase regimes, and traditions of saying and communicating in particular contexts that do not have universal binding power."[185] If Gadamer's normative claim is correct, then Apel's preoccupation with consensus deforms and calcifies ethical discourse in ways that do damage – effects primarily experienced by those particular individuals who find that discourse ethics cannot express their interests, idioms and self-identities.[186] If the first claim is proven, discourse ethics cannot redeem its claim to stand as the only non-retrocedable language of communication. If the second claim is correct, discourse ethics itself stands as one of the very coercive mechanisms that its employment professes to negate in the moral discursive sphere.

Gadamer has neatly presented a substantial challenge to Apel – that Apel himself has succumbed to the very delusion of historicity that discourse ethics aims to make explicit in inter-tradition discourse. Apel's response to this challenge is two-fold: firstly, that hermeneutics cannot stand alone as a rational theory of moral arbitration – and arbitration between conflicting moral perspectives is direly required in the modern world.[187] Secondly, that Gadamer himself commits a performative self-contradiction in denying the basic suppositions of discourse ethics. The charge that hermeneutics itself requires a critical standard by which to assess its own interpretations boils down to two inter-related, but distinct claims: the first is that hermeneutics tends towards a relativistic conservatism.[188] The second criticism is that hermeneutics can never properly reach conclusions with regards to contentious objects of interpretation, *because* it cannot provide the justification for a complementary critical framework. Georgia Warnke summarises the two: "To this extent his hermeneutic appears to founder on a dilemma: on the one hand, it can avoid opportunism in interpretation only by becoming what one might call 'conservative' and accepting the truth of the object; conversely it can avoid this conservatism only by becoming opportunistic and failing to provide any criteria for discriminating between understanding and misunderstanding."[189]That is to say that the conditions in which the first criticism arise actually lie in the second: when we are in doubt with regards to the criterion of critique that ought to obtain (but we do perceive a dire need to provide one), we are likelier – rationally or not - to weigh the already extant conditions with an implicit positive bias.

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[185] Mendieta, E. 2002. p.144.
[186] Enrique Dussel, who promotes a 'philosophy of liberation', has explicitly taken up this discussion with Apel, in concrete terms of how a hegemony of Eurocentric ideas is complicit with economic and political dominion of the developing world, specifically Latin America. Eduardo Mendieta has offered substantial translation and analysis of their ongoing discourse on the viability of discourse ethics to articulate the identities of Latin American communities. See Dussel, E. 2000. & 1996. & Mendieta, E. 2002.
[187] However, it should be noted that Apel, in also seeing a need for a universal grounding of normative principles, does not successfully deliver one himself.
[188] Warnke, G. 1987. p.99.
[189] Warnke, G. 1987. p.99.

A possible response is open to the hermeneuticist, and that is to deny that Gadamer's hermeneutics is normative, in the sense that it attempts to direct one to adopt specific attitudes or to act in accordance with certain principles. Jean Grondin advances such a defence of Gadamer – in essence, that his primary contribution was an observation on the effects of temporality on ones consciousness, and that the cognitive struggle to heighten or broaden ones depth of reflection naturally follows from recognition of this insight[190]: "Gadamer's hermeneutics of finitude is designed to provide this reflection – that is, to demonstrate that the universal and specifically *hermeneutical* character of our experience of the world."[191] Grondin goes on to note that it 'seems inappropriate' to speak of a progress of history, or even of better understanding: these kinds of projects tempt us back towards the fixed ontologies that Gadamer wishes to lead us away from. If we come to "understand differently", as Gadamer puts it, it is enough of an achievement for the hermeneutic subject that we can claim to genuinely understand at all.[192]

However, if we do accept this reading of Gadamer, it becomes very problematic to sustain the underlying emancipatory theme of his theory.[193] Gadamer has indicated, in a lengthy dialogue with Jürgen Habermas, that his positive account of prejudice, and the supposed necessity of its recognition, provide the impetus for the interpreter to stand with as much of an open attitude as is possible for any person to achieve: "… only the person who knows how to ask questions [i.e. to recognise their own prejudices] is able to persist in his questioning, which involves being able to *preserve his orientation towards openness*."[194] When we ask "what the experience of understanding entails", as Nicholas Davey terms it, we are indeed required to assume an ethical disposition.[195] In terms of its concrete practice, Petra Hedberg notes that, upon its introduction "Gadamer's hermeneutics was considered as a complementary corrective to the explanatory methods within the social sciences."[196] - the term 'corrective' already implies that an evaluative judgment *has* been taken.[197] So, insofar as hermeneutics wishes to exert a transformation of its subject – from one understanding to another – it must be able to account for why this reflection ought to be undertaken in the first place. Hermeneutics must distinguish

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[190] Grondin, J. 1997. Pp. 114 – 115.

[191] Grondin, J. 1997. p.115.

[192] Gadamer, H. G. 1989 in Grondin, J. 1997. p.116.

[193] When discussing the role of preconceptions with regards to critiques, Petra Hedberg notes that: "Critical approaches within human and social sciences cannot be derived from facts, but must be based on the norms and values of historical and cultural frameworks. [Yet] democratic ideals may well work as criterions in any critique of authoritarian ideologies, but cannot explain why democratic ideas are superior to others: why these ideas should constitute a universal critical standard." Hedberg, P. 2012. p.85.

[194] Gadamer, H. G. 1989. p. 362.

[195] Davey, N. 2006. p.xiii.

[196] Hedberg, P. 2012. p.75.

[197] Hedberg continues: "Apel has, throughout his authorship, remained remarkably loyal to this idea [i.e. that the social sciences do stand in need of correction], and has repeatedly stressed the need for critical approaches within the scientific as well as the social and political realm." Hedberg, P. 2012. p.75.

itself as a special, and primary, kind of critical dialogue, of a kind that depends upon, but is not reducible to, what insights can be offered from a descriptive scientific methodology. Hence, the imperative for Apel – an imperative he sees foxed in the communitarianism of MacIntyre as well as hermeneutics of Gadamer – is to *legitimise* the basis on which this reflection might proceed. On what foundation does Gadamer's own 'dialogue of difference' rest?

In answer, Apel postulates that "in speaking about the historically determined pre-structure of all socio-cultural life forms – and thereby suggesting the tenet of historicism-relativism – philosophy has not yet – by no means – thematised or conceptualised the "pre-structure" of its own understanding of the world […] the tenet of historicism-relativism philosophy (in this case: hermeneutic phenomenology) has not yet recuperated (i.e. caught up with) its own validity claim and the conditions of its possibility."[198] If all knowledge – and hence philosophy – is pre-conditioned by historically contingent understanding, on what grounds should we privilege this particular hermeneutic insight, a claim that stands 'outside' of history insofar as it applies to all historical instances?

The *only* option to redeem the privileged critical position of hermeneutics that does not succumb to the Münchhausen Trilemma[199] is to ground hermeneutics *on the expectation* that the conditions of transcendental pragmatics do obtain. Methodologically, this amounts to an acceptance that an ethics of difference can only commence, paradoxically, when all interlocutors are in rational consensus that (a) hermeneutics indeed stands as a foundational first language of criticism and that (b) in hermeneutic dialogues, 'there need not be any consensus of interpretation'. Only under these conditions can the problematic question of the particular "pre-structure" of hermeneutics phenomenology is becomes soluble, without sacrificing the possibility of offering hermeneutic critiques regarding 'ordinary world understanding'.[200] If this is the case, the pre-structure of hermeneutics has become the pre-structure of pragmatic suppositions that all interlocutors share in discourse. Hermeneutic

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[198] Apel, K. O. 2001. p. 70.
[199] The Münchhausen Trilemma asserts that "every attempt to establish an ultimate principle in ethics must choose between three alternatives:

    1. An *infinite regress,* [where] the process of justification goes on into infinity and thus fails to arrive at any ultimate ground.

    2. A further possibility is the *circular argument*, that is, the logically flawed derivation of the principle that has to be justified from another principle, the validity of which is not established, but on which the validity of the other principle – which was to be justified initially – depends.

    3. The process of justification could, of course, be concluded with a *decision*. That only means, however, that no justification was found, and the process halted arbitrarily." Düwell, M. 2013. p.89.

Transcendental pragmatics claims to avoid the Münchhausen Trilemma as a *retorsive argument*: that is, its claims are true because they cannot be rationally rejected, upon pain of self-contradiction. A discussion of the criteria of the retorsive argument, and objections raised against it, is offered by Christian Illies, 2003. Illies, C. 2003. Pp. 44 – 46.

[200] Apel, K. O. 2001. Pp. 69 – 70.

enterprise does not stand on par with transcendental pragmatics and it cannot challenge its transcendental suppositions without committing a performative contradiction[201]; instead, it is one of several necessary critical discourses that can only come to a meaningful fruition given a prior acceptance of the procedural precepts of argumentative-communication obtaining. So very clearly, where do we stand now? Apel's normative principles derived from transcendental pragmatics are clearly problematic in ways not exhibited by his procedural framework of discourse ethics. He can, in effect, claim a legitimate basis for a universal moral proceduralism, so long as, in its present conception, discourse ethics does not *a priori* determine specific normative directives. Universally valid norms may be arrived at, as long as they adhere to the conditions of inter-subjective validity achieved through critical discourse.

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[201] I.e. the practice of hermeneutics presupposes the very discursive conditions it denies.

Conclusion

To recap, the research presented within this thesis is of key importance in two ways. Firstly, I have tried, in the body of this paper – but specifically in the introduction and opening chapters – to raise in the reader the understanding that reflection on the justification given for moral norms is absolutely crucial, and that it is not a barren, ultimately futile quest to ask 'Can a rational foundation for moral norms be found, given what we understand about science in general, and about human beings in particular?' In this light, this work challenges a pre-existing belief that morals and ethics really *are* just our opinions, writ large; and it finds that though this particular belief may be convenient or easy to concede, it is not necessary a correct belief to hold. MacIntyre, in extrapolating the complex social nexus of language games, begins to open one up to the complexities, the opportunities – and the limitations – for the recognition of rational justification, given that all moral agents come with one of a number of 'pre-packaged' socio-cultural orientation on issues concerning justice and the good of human life. In unpacking MacIntyre's theory of traditions, one begins to refine one's understanding of how one comes to hold the particular values one has, but more importantly, how these beliefs are vindicated through their expression within a particular public sphere. The discourse of a particular community has taken centre stage, and it is becoming clear, that in some way, this discourse is of central importance.

Ultimately, however, MacIntyre's theory could not substantiate its claims of universalism, nor provide a universal justification for its emancipatory interests, and this brings me to my second point; I have tried to present MacIntyre and Apel not as two abstract theories that have been artificially presented in comparison, but as a dialectic growth from one position to another. When I indicate that MacIntyre's system rests upon an ontology of traditions that he himself cannot vindicate, it does not mean that we are left with a foundation-less choice: either to accept as axiomatic MacIntyre's ontology, or to reject his propositions wholesale. Rather, in Apel we begin with transcendental pragmatics - a justified foundation for discourse, not between traditions *per se*, but between different language games and different language users. And we see that, despite the differences in actual language games we are subscribed to, there are some core presuppositions we hold – not because we *happen to*, but *because we must.* This is the justified foundation for moral discourse that is sorely needed, but it is a foundation that does not necessarily deny or repudiate the observations on social arrangements, language

games and extant ethical practices canvassed prior to Chapter III. The challenge and response of hermeneutics to procedural ethics, given in Chapter IV, is presented in this thesis as the test of whether Apel's procedural norms can in fact rationally vindicate their claim to universality not only in the abstract, but also when challenged to account for real structures of discourse. Apel, I have argued, with regards to this specific challenge, has risen to the occasion.

However, not all of my research uncovered findings in favour of transcendental pragmatics. A pervasive theme - and my primary criticism of both MacIntyre and Apel - is the supposition of an underlying conception of human solidarity. In Chapters II and IV, I have made explicit where each author depends upon an underlying kinship, or solidarity that ought to hold between human beings as the basis for moral norms that direct specific acts, or determine specific responsibilities. My claim is not that human solidarity does not, or ought not, to exist. MacIntyre's incisions into specific cultural structures are sufficient evidence that human beings have many different ties of kinship and solidarity to one another, and to the human race in general. However, this multiplicity is precisely the problem. As universal as a *general sentiment* of solidarity is – or may, or ought to be - there are innumerable different conceptions of what human solidarity entails, in terms of moral agency and moral responsibility- and further, that it *necessitates* one course of action over another. In general, when appeals are made to human solidarity in argumentation, the hardest part of the argument is *still to come*. Hence, it is not rationally conclusive to make an appeal to a human solidarity in abstracted discourse – either on a collective level, or on the individual level –any more than it is a rational game ender in concrete discourse. When individuals make appeals to human solidarity as *the* reason why we ought to support a just war, or whether we ought to abstain from intervention completely, it is a clear rhetorical device. I believe it especially imperative that applied ethicists - who so often embark on ethically charged investigations spanning several cultural orientations - reflect on the extent of, and justification for, the cultural capital that underpins the evaluative and critical attitudes one assumes.

Finally, I offer brief commentary on a few of the boundaries to the research question I assumed, coupled with suggestions for their exploration via avenues of possible future research. Both topics – the dichotomy of Apel's normative/procedural principles and a critical investigation of intersubjectivity in ethical rationalism - focus on the potential merits or limitations of Apel's system that became apparent as I pursued my particular critical comparison between Apel and MacIntyre. Though these avenues of potential research do have some bearing on the viability of the future of discourse ethics as its own venture, I judged these particular

questions to pull attention away from the comparison I established between MacIntyre and Apel regarding the question of a foundation for critical discourse.

A theoretical discussion that was not broached within this paper was whether or not discourse ethics may mount a successful defence against theories that derive moral principles from 'pain of rational inconsistency', but *do not* also subscribe to a primary theory of intersubjective validity, as discourse ethics does. Alan Gewirth is one example of such a position, with his focus on the rational capacity for agency, and not the rational capacity for communication, as the ultimate foundation for substantive moral principles. In fact, a complex triadic discussion on the possibility and nature of ethical rationalism ensues from the introduction of Gewirth to both MacIntyrean and Apelian positions – as MacIntyre mounts a specific critique of Gewirth's principle of generic consistency within *After Virtue*, and Apel's discourse ethics presents a different position again to either MacIntyre or Gewirth.

Alternatively, another clear project that requires substantial attention concerns a proposition raised in the critical discussion of Apel in the final chapter: the possibility for the separation of Apel's procedural and normative principles as two distinct arms of his theory. My critical discussion concluded that the viability of discourse ethics rests upon the possibility of such a division to obtain – and the division effectively redirects Apel's intended course. The minutiae of the structure of the procedural and normative principles of Apelian discourse ethics raise a number of related problems – the extent of their interconnectedness being the first. I excluded these questions from the research topic, but it is not a revelation that discourse ethics, as its own project, is still incomplete. As such, it offers several opening for potential investigation, of which the nature and warrant for the delegation of positive moral responsibility is, in my personal opinion, one of the most interesting.

Reference List:

Alasdair MacIntyre: On having survived the academic moral philosophy of the twentieth century. 2009. Lecture recorded at International Society for MacIntyrean Enquiry at University College Dublin, 6-8 March. Available from: http://www.ucd.ie/news/2009/03FEB09/110309_macintyre.html. [Accessed: 09 – 11 – 2012].

Allen, A. 1997. 'MacIntyre's traditionalism'. *The Journal of Value Enquiry*. (31 Issue 4) December. Pp. 511 – 525.

Angier, T. 2011. 'Alasdair MacIntyre's Analysis of Tradition'. *European Journal of Philosophy*. December 28. Available from: http://onlinelibrary.wiley.com/doi/10.1111/j.1468-0378.2011.00505.x/abstract. [Accessed: 17 – 04 – 2013].

Annas, J. 1989. 'MacIntyre on Traditions'. *Philosophy and Public Affairs*. (18, No. 4) Pp. 388 – 404.

Anscombe, G. E. M. 1958. 'Modern Moral Philosophy'. *Philosophy*. (33, No. 124) January. Available from: http://www.pitt.edu/~mthompso/readings/mmp.pdf. [Accessed: 23 – 08 – 2012]. Pp. 1 – 16.

Apel, K. O. 1994. *Karl-Otto Apel: Selected essays. Vol. 1: Towards a transcendental semiotics.* Mendieta, E. (ed.). New Jersey: Humanities Press.

— 1996. *Karl-Otto Apel: Selected essays. Vol. 2: Ethics and the theory of rationality.* Mendieta, E. (ed.). New Jersey: Humanities Press.

— 1998. *Towards a Transformation of Philosophy.* Adey, G & Fisby, D. (trans.). 2nd Print. Milwaukee: Marquette University Press.

— 2001. *The Response of Discourse Ethics to the Moral Challenge of the Human Situation as Such and Especially Today: Mercier Lectures, Louvain-la-Neuve, March 1999*. Leuven: Peeters Publishers.

Ayer, A. J. 1936. *Language, Truth and Logic*. Printed: 1971. New York: Penguin Books. Available from: http://archive.org/stream/AlfredAyer/LanguageTruthAndLogic#page/n3/mode/2up [Accessed: 17 – 11 – 2012].

Bailey, S. 2011. 'Obama Calls Immigration Reform a 'Moral Imperative' at National Hispanic Prayer Breakfast'. *Christianity Today*. Available from: http://blog.christianitytoday.com/ctpolitics/2011/05/obama_calls_imm.html. [Accessed: 25 – 08 – 2013].

Benhabib, S. 1985. 'The Utopian Dimension in Communicative Ethics'. *New German Critique*. (35) Spring – Summer (Special Issue on Jürgen Habermas). Pp. 83 – 96.

Chakravartty, A. 2013. 'Scientific Realism'. *The Stanford Encyclopedia of Philosophy*. Zalta, E. (ed.). Available from: http://plato.stanford.edu/archives/sum2013/entries/scientific-realism/ [Accessed: 20 – 06 – 2013].

Chomsky, N. 1965. *Aspects of the Theory of Syntax*. Massachusetts: MIT Press.

Cohen, A. 2000. 'On Universalism: Communitarians, Rorty, and ("Objectivist") "Liberal Metaphysicians"'. *The Southern Journal of Philosophy*. (38). Pp. 39 – 75.

Collision: Christopher Hitchens vs. Douglas Wilson. 2009 (Documentary) Directed by: Doane, D.

Cooke, E. 2003. 'On the possibility of a pragmatic discourse bioethics: Putnam, Habermas, and the normative logic of bioethical inquiry'. *The Journal of Medicine and Philosophy*. (28) October – December Issue. Available from: http://www.ncbi.nlm.nih.gov/pubmed/14972765. [Accessed: 04 – 03 – 2013]. Pp. 635 – 653.

Dahl, R. 1982. *Roald Dahl's Revolting Rhymes*. United Kingdom: Puffin.

Davey, N. 2006. *Unquiet Understanding: Gadamer's Philosophical Hermeneutics*. Albany: SUNY Press.

Davidson, D. 1973. 'Radical Interpretation'. *Dialectica*. (27, Issue 3 – 4). Published Online: 2007, May. Available from: http://onlinelibrary.wiley.com/doi/10.1111/j.1746-8361.1973.tb00623.x/pdf. [Accessed: 03 – 05 – 2013].

— 1982. 'Rational Animals'. *Dialectica*. (36, No. 4) Available from: http://christianebailey.com/wp-content/uploads/2012/02/Davidson-Rational-Animals-1982.pdf [Accessed: 17 – 02 – 2013].

DeSouza, N. 1998. 'Models of Moral Philosophy: Charles Taylor's critique of Jürgen Habermas'. *Eidos*. (XV, No. 1) January. Pp. 55 – 78.

Dussel, E. 1996. *The Underside of Modernity: Apel, Ricoeur, Rorty, Taylor and the Philosophy of Liberation*. Mendieta, E. (ed.). New Jersey: Humanities Press.

— 2000. *Thinking From the Underside of History: Enrique Dussel's Philosophy of Liberation*. Mendieta, E. & Martín Alcoff, L. (eds.). Lanham: Rowman & Littlefield.

Düwell, M. 2013. *Bioethics: methods, theories, domains*. Oxon: Routledge.

Fontrodona, J. 2002. *Pragmatism and Management Inquiry: Insights from the Thought of Charles S. Peirce*. Connecticut: Greenwood Publishing Group, Inc.

Fuller, M. 1998. *Making Sense of MacIntyre*. Aldershot: Ashgate Publishing, Ltd.

Furrow, D. 1995. *Against Theory*. New York: Routledge.

Gadamer, H. G. 1989. *Truth and Method*. Weinsheimer, J. & Marshall, D. G. (trans.) 2nd Ed. London: The Crossroad Publishing Company.

García-Marzá, D. 2012. 'Business Ethics as Applied Ethics: A Discourse Ethics Approach'. *Ramon Llull Journal of Applied Ethics*. (3, Issue 3). Pp. 99 – 114.

Gert, B. 2012. 'The Definition of Morality'. *The Stanford Encyclopedia of Philosophy*. Zalta, E. (ed.). Available from: http://plato.stanford.edu/archives/fall2012/entries/morality-definition/ [Accessed: 05 – 06 – 2012].

Graham, G. 1994. 'MacIntyre's Fusion of History and Philosophy'. *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre*. Horton, J. & Mendus, S. (eds.). Oxford: Polity Press.

Grondin, J. 1997. *Introduction to Philosophical Hermeneutics*. Weinsheimer, J. (trans.). United States of America: Yale University Press.

Habermas, J. 1991. *The Structural Transformation of the Public Sphere: An Inquiry Into a Category of Bourgeois Society*. Burger, T & Lawrence, F (trans.). Massachusetts: MIT Press.

Hedberg, P. 2012. 'What is Critique? From Gadamer to Apel via Habermas (and Rorty)'. *SATS: Northern European Journal of Philosophy*. (13, No. 1). Pp. 75 – 94.

Herdt, J. 1998. 'Alasdair MacIntyre's "Rationality of Traditions" and Tradition-Transcendental Standards of Justification'. *The Journal of Religion*. (78, No. 4) October. Available from: http://www.jstor.org/stable/1206573. [Accessed: 01 – 04 – 2013]. Pp. 524 – 546.

Illies, C. 2003. *The Grounds of Ethical Judgement: New Transcendental Arguments in Moral Philosophy*. New York: Oxford University Press.

Israel, J. 2001. *Radical Enlightenment: Philosophy and the Making of Modernity 1650 – 1750*. Oxford: Oxford University Press.

Jonson, A & Toulmin, S. 1992. *The Abuse of Casuistry: A history of moral reasoning*. London: University of California Press.

Kaldewaij, F. 2012. *The Animal in Morality: Justifying duties to animals in Kantian moral philosophy*. PhD thesis (unpublished), Universiteit Utrecht.

Kant, I. 1784. 'What is Enlightenment?'. Gregor, M. J. (trans.). Printed: 1996. Available from: http://www.marxists.org/reference/subject/ethics/kant/enlightenment.htm [Accessed: 19 – 03 – 2013].

Kozinski, T. 2007. 'On the Political Problem of Religious Pluralism: John Rawls, Jacques Maritain, Alasdair MacIntyre'. *Gradworks.UMI*. Available from: http://www.academia.edu/411245/John_Rawls_Jacques_Maritain_and_Alasdair_MacIntyre_on_the_Possibility_of_An_Overlapping_Political_Consensus [Accessed: 23 – 02 – 2013].

Kuna, M. 2005. 'MacIntyre on Tradition, Rationality and Relativism'. *Res Publica*. (11). Pp. 251 – 273.

— 2008. 'MacIntyre's Search for a Defensible Aristotelian Ethics and the Role of Metaphysics'. *Analyse und Kritik. Zeitschrift für Sozialtheorie.* (30, No. 1). Pp. 103 – 119.

Lawlor, R. 2007. 'Moral theories in teaching applied ethics'. *Journal of Medical Ethics*. (33 Issue 6) June. Pp. 370 – 372.

Little, M. 2001. 'On Knowing the "Why": Particularism and Moral Theory'. *Hastings Centre Report*. (31, No. 4) July – August. Pp. 32 – 40.

MacIntyre, A. 1985. *After Virtue: a study in moral theory.* 2nd Ed. London: Gerald Duckworth & Co, Ltd.

— 1988. *Whose Justice? Which Rationality?* London: Gerald Duckworth & Co, Ltd.

— 1990. *Three Rival Versions of Moral Enquiry – Encyclopaedia, Genealogy, and Tradition, being Gifford Lectures delivered in the University of Edinburgh in 1988.* Indiana: University of Notre Dame Press.

— 1999. *Dependent Rational Animals: Why human beings need the virtues*. Printed: 2010. United States of America: Carus Publishing Company.

Malik, K. 2012. 'A Book in Progress [Part 18]: MacIntyre, Enlightenment and Tradition'. *Pandaemonium*. August 15. Available from: http://kenanmalik.wordpress.com/2012/08/15/a-book-in-progress-part-18/ [Accessed: 15 – 07 – 2013].

Marx, K. 1845. *Theses on Feuerbach*. Smith, C & Cuckson, D. (trans.). 2002. Available from: http://www.marxists.org/archive/marx/works/1845/theses/ [Accessed: 26 – 08 – 2013].

Mendieta, E. 2002. *The Adventures of Transcendental Philosophy: Karl-Otto Apel's Semiotics and Discourse Ethics*. Maryland: Rowman & Littlefield Publishers, Inc.

Miner, R. 1998. 'Lakatos and MacIntyre on Incommensurability and the Rationality of Theory-change'. *20th World Congress on Philosophy*. Available from: http://www.bu.edu/wcp/Papers/Scie/ScieMine.htm [Accessed: 12 – 01 – 2013].

Mohanty, S. P. 1989. 'Us and Them: On the Philosophical Bases of Political Criticism'. *new formations*. (8). Available from: http://www.amielandmelburn.org.uk/collections/newformations/08_55.pdf [Accessed: 12 – 09 – 2012]. Pp. 55 – 80.

Norton, T. M. 1981. *Language, Communication, and Society: Jürgen Habermas, Karl-Otto Apel, and the Idea of a Universal Pragmatics*. Michigan: University Microfilms International.

Okin, S. M. 1989. *Justice, Gender, and the Family*. United States of America: Basic Books.

Parry, R. 2008. 'Episteme and Techne'. *The Stanford Encyclopedia of Philosophy*. Zalta, E. (ed.). Available from: http://plato.stanford.edu/entries/episteme-techne/ [Accessed: 14 – 10 – 2012].

Rehg, W. 1997. *Insight & Solidarity: The Discourse Ethics of Jürgen Habermas*. California: University of California Press.

Rorty, R. 1991. *Essays on Heidegger and Others: Philosophical Papers*. 10th Print. New York: Cambridge University Press.

— 2007. 'The Fire of Life'. *Poetry*. November 2007. Available from: http://www.poetryfoundation.org/poetrymagazine/article/180185. [Accessed: 16-04-2013].

Ross, W. D. 1939. *Foundations of Ethics*. Oxford: Clarendon Press.

Saunders, A. 2011. 'The moral judgment of psychopaths'. *ABC Radio: The Philosopher's Zone.* July 30. Transcript and recording available from: http://www.abc.net.au/radionational/programs/philosopherszone/the-moral-judgment-of-psychopaths/2926530. [Accessed 28 – 02 – 2013].

SPL Staff. 2013. 'Quotes from Cardinal Bergoglio, now Pope Francis, on 7 Moral Issues'. *Saint Peter's List*. March 14. Available from: http://www.stpeterslist.com/10390/quotes-from-cardinal-bergoglio-now-pope-francis-on-7-moral-issues/ [Accessed: 25 – 08 – 2013].

Stout, J. 2001. *Ethics After Babel: The Languages of Morals and their Discontents*. Princeton: Princeton University Press.

Strawson, G. 2004. 'Against Narrativity'. *Ratio.* (XVII) December 2004. Available from: http://lchc.ucsd.edu/mca/reviews/against_narrativity.pdf. [Accessed: 09 – 03 – 2013]. Pp. 428 – 452.

Swoyer, C. 2010. 'Relativism'. *The Stanford Encyclopedia of Philosophy*. Zalta, E. (ed.). Winter 2010. Available from: http://plato.stanford.edu/archives/win2010/entries/relativism/ [Accessed: 21 – 06 – 2013].

Taylor, C. 1989. *Sources of the Self*. Cambridge: University of Cambridge.

UCD News. 2009. 'Moral and political philosopher, Alasdair MacIntyre, honoured at UCD'. *University College Dublin*. March 12. Available from: http://www.ucd.ie/news/2009/03FEB09/110309_macintyre.html [Accessed: 09 – 11- 2012].

Urmson, J. 1968. *The Emotive Theory of Ethics*. London: Hutchinson University Library.

van Roojen, M. 2012. 'Moral Cognitivism vs. Non-Cognitivism'. *The Stanford Encyclopedia of Philosophy*. Zalta, E. (ed.). Available from: http://plato.stanford.edu/archives/win2012/entries/moral-cognitivism/ [Accessed: 23 – 04 – 2013]

Wagner, P. 2010. 'The linguistic turn and other misconceptions about analytic philosophy'. *Eurozine*. June 10. Available from: http://www.eurozine.com/articles/2010-06-10-wagner-en.html [Accessed: 15 – 04 – 2013].

Warnke, G. 1987. *Gadamer: Hermeneutics, Tradition and Reason*. California: Stanford University Press.

Williams, B. 1974. 'The Truth in Relativism'. *Proceedings of the Aristotelian Society*. (75). Available from: http://www.jstor.org/stable/4544875 [Accessed: 17 – 01 – 2013]. Pp. 215 – 228.

—   1985. *Ethics and the Limits of Philosophy*. Cambridge: Harvard University Press.

Wittgenstein, L. 1953. *Philosophical Investigations*: *The English Text of the Third Edition*. G. E. M. Anscombe (trans.). Printed: 1999. New Jersey: Prentice Hall.

Wong, D. 2006. *Natural Moralities: A Defense of Pluralistic Relativism*. New York: Oxford University Press.