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**Moral Discourse in a World After Virtue:
Communication and Dialogue in the Thought of Alasdair MacIntyre**

by

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the Faculty of Graduate Studies and Research
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ABSTRACT

This dissertation is about the place of communication and dialogue in the thought of Alasdair MacIntyre. Although MacIntyre is widely known today as one of the most original and influential moral theorists of the last half-century, his contribution to the theory of communication remains largely unrecognized. MacIntyre's work on ethics can best be understood in the light of Thomas Kuhn's work on the history and philosophy of science. Both Kuhn and MacIntyre acknowledge the fundamental obstacle posed by conceptual incommensurability to the very possibility of communication between the adherents of rival and competing systems of belief. However, whereas Kuhn rules against the possibility of communication between incommensurable systems, leaving the choice between such systems purely arbitrary, MacIntyre affirms not only the possibility of communication and understanding between such systems, but the possibility also of rational choice between them. To this end, MacIntyre offers a systematic theory of communication and a normative model of rational dialogue for those suitably caught up in fundamental disagreement between incompatible moral traditions.

It has been a large part of MacIntyre's mature philosophy to theorize about communication and rational moral discourse: the social practice of resolving differences of moral judgment. He has introduced highly original concepts that can improve our understanding and practice of such discourse. These include his concepts of moral incommensurability, fragmented moral vocabularies, traditions of moral enquiry, and the narrative constitution of moral identity. He has offered one of the most original and sobering diagnoses of the state of contemporary public debate. He has developed powerful critiques of the dominant styles of argument that prevail in such debate. He has, moreover, offered a constructive alternative to such styles of argument, an alternative that amounts to no less than a systematic theory of communication and a normative model of rational dialogue.

This dissertation seeks to provide a first account of MacIntyre's theory of communication and rational dialogue. It is, first and foremost, a work of interpretation and commentary. Part of what I will demonstrate is that MacIntyre's critiques of the two dominant styles of argument in contemporary moral debate—objectivism and relativism—underwrite a theoretical and practical commitment to communication and dialogue. MacIntyre's interest in communication is by no means contextless; communication for MacIntyre is the logical alternative to failed moral theory. I will then make explicit what, exactly, communication and dialogue mean for MacIntyre. This dissertation is not, however, a work of pure interpretation and commentary. It opens with a case study illustrating the problem of intractable moral disagreement. The project moreover leads up to second a case study designed to illustrate the power of MacIntyre's epistemic model of rational deliberation. Both case studies concern what is arguably one of the most pressing and heated moral controversies of our time, namely, the conflict between human rights and Islamic law.

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INTRODUCTION

Background

Alasdair MacIntyre is arguably one of the most influential moral philosophers of the twentieth century. His contributions to the theory and history of ethics have been wide-ranging and the impact of his work, both within and beyond the discipline of philosophy, has been enormous. Along with John Rawls and Bernard Williams, MacIntyre is widely considered to have played a critical role in the late twentieth century revival of moral philosophy. To general academic audiences, he is known as a longstanding critic of liberalism and modernity. His harsh critiques of liberalism have led many to identify him as a champion of communitarian politics, a reputation he shares with Michael Sandel, Michael Walzer, and Charles Taylor. MacIntyre is also known, along with Elizabeth Anscombe, Philippa Foot, and Martha Nussbaum, for having played a decisive role in the contemporary resurgence of virtue ethics. Most recently, he has achieved a certain renown as a neo-Thomist.

MacIntyre's philosophical identity has evolved considerably over the course of his long intellectual career. He began that career in the early 1950s as a critic of utilitarianism and emotivism, the two styles of moral theory that then prevailed in the world of Anglo-American analytic philosophy. MacIntyre later found an identity in British Marxism and was for a time one of the most erudite voices of the British New Left. His interlocutors during this period included such prominent Marxist intellectuals as E. P. Thompson and Leszek Kolakowski.

Following the revelations of the horrors of Soviet Marxism, MacIntyre became a kind of freelance moral theorist without a philosophical home. He later discovered a great deal of power and promise in the thought of Aristotle and eventually penned a highly original argument in favour of a return to an Aristotelian conception of ethics. In the late 1980s, MacIntyre announced his dramatic return to religious faith as a reconstructed Augustinian Christian. He has since remained a committed Catholic philosopher in the Aristotelian tradition of Thomas Aquinas. Even a cursory survey of MacIntyre's writings over the course of his intellectual career thus makes it abundantly clear that MacIntyre's intellectual output has not been guided by any one philosophical worldview. It is, however, possible to discern in his many and diverse writings at least one consistent and salient theme, namely, the search for a basis to moral judgments.

That search found its most famous and controversial expression in his 1981 book *After Virtue*. It might be said that *After Virtue* did for moral theory what Thomas Kuhn's *The Structure of Scientific Revolutions* (1962/1996) did for philosophy of science: it effectively undermined the distinctly modern idea of a timeless and ahistorical decision procedure for adjudicating between rival and competing claims to truth. Just as Kuhn had argued that scientific enquiry proceeds within historically situated scientific paradigms, MacIntyre similarly argued that moral enquiry proceeds within historically situated moral traditions. Moreover, just as Kuhn had argued that scientific controversy between competing paradigms cannot be resolved by appeal to a single, and purportedly universal, scientific method, so, too, did MacIntyre argue that moral controversy

between competing traditions cannot be resolved by appeal to a universal rationality. Their respective philosophical projects therefore bear a striking similarity.

There is, however, a third—and, for the purposes of the present dissertation, deeply relevant—commonality between Kuhn and MacIntyre: both thinkers acknowledge the fundamental challenge posed by conceptual incommensurability to communication and dialogue between the adherents of rival and competing systems of belief. However, whereas Kuhn concludes that there can be no communication between incommensurable systems, such that the choice between them can be no more than arbitrary, MacIntyre affirms not only the possibility of communication and understanding between such systems, but the possibility also of rational choice between them. To this end, MacIntyre offers a systematic theory of communication and a practical model of rational dialogue for those suitably caught up in fundamental moral conflict. This theory, however, is arguably the most difficult and inaccessible feature of MacIntyre's mature thought.

Although *After Virtue* remains one of the most widely read works of contemporary moral philosophy, having been written in an indelibly lively and engaging polemical style, MacIntyre's subsequent books are marked by a notorious density and abstraction that make them extremely difficult to approach. That density and abstraction are due in no small part to the conceptual nature of his subject matter. MacIntyre does not, after all, theorize about communication out of the blue. He does not, that is, have a generic interest in communication for

its own sake. Rather, his theoretical interest in communication arises in the course of his systematic critiques of the two dominant styles of thinking about the problem of moral disagreement in modern democratic societies.

The first of these styles is what I have chosen, following Richard Bernstein (1983), to call moral objectivism. According to objectivist modes of moral reasoning, conflict and disagreement between rival and incompatible systems of belief can more or less seamlessly be resolved by way of a formal process of abstract deduction. All that is thus required to settle moral disagreements is a set of logical or empirical proofs. Objectivism in ethics thus precludes the *need* for communication and systematic dialogue between those suitably caught up in fundamental moral conflict. The other dominant style of thinking about the problem of moral disagreement is what MacIntyre terms relativism. At its core, relativism is a philosophical thesis about truth and justification. It amounts to the argument that the justification of any given moral claim is an empty linguistic exercise. We can, at best, talk past one another, never to one another, for our assertions could never meet each other head on. Relativism thus precludes the *possibility* of communication.

MacIntyre offers one of the most original and systematic critiques of both objectivism and relativism in ethics. He ultimately rejects both on account of their mutual lack of conceptual coherence. That rejection logically culminates in a theoretical and practical commitment to communication and dialogue between those suitably caught up in fundamental moral conflict. This, of course, raises two obvious questions. First, if communication between the adherents of rival

and incommensurable systems of belief is indeed possible, then what, exactly, would such communication look like? Second, if we can indeed understand each other's beliefs, then how ought we to talk to one another? MacIntyre thus offers an answer to both of these questions. His theory of communication is designed to avoid the conceptual pitfalls of objectivism while answering the philosophical challenges of relativism. The result is a promising, if dense and inaccessible, theory that can make a practical difference to the way we think and publicly deliberate about matters moral and political. Curiously enough, MacIntyre does not explicitly acknowledge that he offers a theory of communication; that theory remains, at best, implicit. The consequence is that his otherwise astute and discerning critics have largely, if not entirely, overlooked his commitment to a deliberative approach to justice.

In a scathing and widely circulated essay, Martha Nussbaum (1989) argues that MacIntyre is at best a half-hearted rationalist whose commitment to Augustinian Christianity betrays a covert desire to restore a pre-modern political system of papal power and authority. Only through such large-scale political restoration, MacIntyre supposedly believes, can we ever hope to secure the kind of broad background of social agreement required to bring an end to interminable moral conflict. Nussbaum thus characterizes MacIntyre's moral and political thought as a kind of irrational authoritarian conservatism. The pragmatist philosopher Hilary Putnam (1995) similarly sees an authoritarian arbitrariness at work in MacIntyre's thought. In defending the possibility of rational moral dialogue, argues Putnam, MacIntyre is "forced back upon what amounts to 'What

is Agreeable to MacIntyre's Reason'" (1995: 268). According to Putnam, MacIntyre is unable to maintain a commitment to impartiality and thus succumbs to a self-discrediting personal bias. The feminist philosopher Susan Moller Okin (1991) contends that MacIntyre's proposal for situating moral arguments within one or another moral tradition is a proposal ultimately for patriarchal domination. In yet another scathing critique, Jeffrey Stout (2004) argues that MacIntyre greatly exaggerates the problem of moral conflict and overlooks the many virtues of modern liberalism. According to Stout, MacIntyre's dark and foreboding pessimism about modern political orders leaves no room for the practice of democratic dialogue and debate.

Unfortunately, none of these critics seem able to pick up on MacIntyre's proposal for communication between cultures and traditions and the fact that he does indeed offer a constructive model of moral dialogue appropriate for contemporary pluralistic democracies. Their focus on MacIntyre's normative ethical commitments overlooks his vastly more important meta-ethical arguments for a rational and deliberative alternative to a politics of pure will and power. Such critics fail to appreciate that there are, in fact, *two* MacIntyres. There is, in the first instance, MacIntyre the Thomist, the anti-liberal, and the critic of modernity. There is, however, a second MacIntyre, namely, the theorist of communication and the proponent of rational and systematic debate between cultures and traditions. A careful reading of MacIntyre's mature thought reveals that this latter role ultimately takes precedence and priority over the former.

Surprisingly, even communication scholars are unable to pick up on MacIntyre's arguments for communication and dialogue. In a joint review of MacIntyre's *Whose Justice? Which Rationality?* (1988), John Durham Peters, John Lyne, and Robert Hariman praise MacIntyre's "distinguished project," only to contend that it culminates in no more than a mere acknowledgement of the multiplicity of rival and competing traditions. He fails, that is, to move beyond such acknowledgement and identify "a way of engaging others persuasively" (Peters, Lyne, & Hariman, 1991: 83). Although MacIntyre "describe[s] all the conditions for rhetorical engagement," he nonetheless "drops the ball at the point of characterizing the need that the adherents of a tradition have to *address* and *persuade* others, both inside and beyond their own tradition" (83-84). Peters, Lyne, and Hariman therefore suggest that the way out of this dilemma lies in the embrace of rhetoric—a practice and tradition that MacIntyre supposedly neglects. They see MacIntyre as a stodgy advocate of a purely formal mode of philosophical reasoning, which they curiously term "dialectic" (ibid). According to this stodgy outlook, where the conversation between traditions begins, reason and rationality supposedly come to an end. They therefore urge MacIntyre to move beyond his stubborn reliance upon formal philosophy and embrace the social practice of rhetoric.

Those who are able to pick up on MacIntyre's theory of communication and dialogue fail to represent that theory fairly and accurately. Jürgen Habermas, for example, whose own discourse-theoretical conception of ethics (1990) was developed partly in response to *After Virtue*, acknowledges the place

of communication and dialogue in MacIntyre's mature thought (1993). However, Habermas reduces MacIntyre's arguments about incommensurability and communication to mere caricature, thereby making such arguments all the easier to dismiss. Habermas does not take seriously the challenge of incommensurability to the very possibility of communication, let alone provide a systematic answer to that challenge. He thus presents MacIntyre as a rival and incompatible moral theorist when, in fact, their philosophical aims are one and the same: a practical model of rational deliberation.

To date, the most detailed and sympathetic account of MacIntyre's theory of communication is that of Mark Kingwell (1995). Kingwell's own "dialogical" model of justice was inspired in large part by MacIntyre's work. Kingwell is therefore far more sympathetic to MacIntyre's theory of communication. In fact, Kingwell takes his own model of dialogue to be in some sense an extension and development of MacIntyre's. Even Kingwell's sympathetic reading, however, overlooks the many subtleties and nuances in MacIntyre's theory. It is, after all, a rather brief account that leaves the reader with the misleading impression that MacIntyre is a naïve idealist with little awareness of the cynicism and deceit at work in public debate.

The Aim of this Project

It has been a large part of MacIntyre's mature philosophy to theorize about communication and rational moral discourse. He has introduced highly original concepts that can improve our understanding and practice of such discourse.

These include his concepts of moral incommensurability, fragmented moral vocabularies, traditions of moral enquiry, and the narrative constitution of moral identity. He has offered one of the most original and sobering diagnoses of the state of contemporary public debate. He has developed powerful critiques of the dominant styles of argument that prevail in such debate. He has, moreover, offered a constructive alternative to such styles of argument, an alternative that amounts to no less than a systematic theory of communication. Although MacIntyre only rarely employs the terms *communication* and *dialogue* in his writings, a careful reading of his mature thought reveals that he is not only a committed moral philosopher, but also and especially a committed theorist of communication and dialogue. Precisely because MacIntyre rejects the appeal to universal moral standards—standards he insists are illusory and even noxious—and because he rejects also the kind of philosophical skepticism that feeds a politics of power and domination, his project has sought to answer a basic, even foundational, communicative question: how ought we to decide between rival and incompatible systems of belief in a way that does not arbitrarily and preemptively privilege one system over the other? In what does *rational* persuasion consist?

To date, there has not been a single study offering a systematic account of that part of MacIntyre's mature thought that concerns communication and dialogue between cultures and traditions. The aim of this dissertation is to fill that gap. It is, first and foremost, a work of interpretation and commentary. Part of what I will argue is that the movement beyond objectivist and relativist modes of moral argument logically culminates in a theoretical and practical commitment to

communication. This much is, at best, only implicit in MacIntyre's thought. Thus, this project seeks in part to make that movement explicit by showing how both modes of argument are fundamentally obstructive of communication. To present MacIntyre's account of communication on its own would only be to strip it of its theoretical context and practical significance. Understanding the answer to an obstruction requires a prior understanding of the nature and severity of the obstruction itself.

This project is not, however, a work of pure interpretation and commentary. It opens with a case study illustrating the problem of fundamental and intractable moral disagreement. It moreover culminates in second a case study designed to illustrate the power of MacIntyre's model of rational deliberation. Both case studies examine what is arguably one of the most pressing and heated moral controversies of our time: the conflict between human rights and Islamic law.

Project Scope and Design

MacIntyre's writings are numerous and the range of issues about which he has written is vast. This study will therefore be limited to those writings that deal specifically with MacIntyre's work on moral disagreement, communication, and dialogue. These writings appear in books and essays from the mature period of MacIntyre's intellectual career. They are part of what D'Andrea (2006) has called the After Virtue Project. They include MacIntyre's three major books, *After Virtue* (1981/1984), *Whose Justice? Which Rationality?* (1988), and *Three Rival*

Versions of Moral Enquiry (1990). They also include two recent volumes of essays, *The Tasks of Philosophy* (2006) and *Ethics and Politics* (2006), as well as one of MacIntyre's important early essays, "Relativism, Power, and Philosophy" (1984).

This project has been organized according to the following outline. Chapter 1 examines the problem and sources of fundamental moral conflict in contemporary democratic cultures. It opens with a case study illustrating the problem of moral conflict and its consequences for public debate. That case study concerns the recent proposal to introduce *shari'ah* tribunals in the province of Ontario and the ensuing moral controversy surrounding that proposal. The chapter then reviews MacIntyre's account of the nature of moral disagreement. According to MacIntyre, intractable moral disagreement is a distinctly modern phenomenon. MacIntyre thus attributes the present state of public moral discourse to a certain historical course of events.

I have found it necessary to summarize MacIntyre's account of those events, for he contends that it is impossible to comprehend the incoherence of our present discourse without some idea of the character of moral discourse in pre-modern societies. Writing that summary admittedly presented a number of methodological difficulties. For one thing, MacIntyre's historical account of moral theory was written in reverse chronological order. For the purposes of this project, it was necessary to present that history in its proper chronological order. MacIntyre's historical account was also written in a highly elliptical style. This can in part be explained by the fact *After Virtue* is not intended to be a formal

work of history; rather, it presents specific historical insights into the failure of the Enlightenment project of morality. MacIntyre writes for a fairly learned audience. He expects the reader to possess a prior background understanding of the history of moral philosophy and thus to fill in certain historical details he has seen fit to leave implicit. I have thus found it necessary at certain points to make those details explicit. Chapter 1 concludes with an account of the consequences of conceptual incoherence and moral fragmentation upon contemporary moral dialogue and debate.

Chapters 2 and 3 examine MacIntyre's critiques of objectivism and relativism in ethics. These were, initially, designed as parts of a single chapter. However, because of the length and detail of each critique, it was necessary to divide them into two separate chapters. They ought, however, to be read as parts of one and the same argument. As stated before, part of what I intend to argue is that objectivist and relativist modes of moral argument preclude the need and possibility for resolving moral disagreements through communication and dialogue. In Chapter 2, I try to illustrate this point by focusing on the primary texts of certain Enlightenment-era and contemporary Enlightenment-based moral theorists. MacIntyre himself concludes his critique of relativism by acknowledging that to take relativism to its logical conclusion would in effect be to remove oneself altogether from the domain of dialogue and debate. The rejection of both objectivist and relativist modes of moral argument thus culminates in a theoretical and practical commitment to communication and dialogue. Although the argument in these chapters might appear to have more to

do with philosophy and less to do with communication, it is vital to stress—again—that MacIntyre’s argument for communication cannot adequately be understood without an appreciation of what it is designed to replace, namely, “bad philosophy”.

Chapter 4 presents an account of MacIntyre’s theory of communication, dialogue, and rational moral persuasion. I begin with several preliminary arguments before presenting MacIntyre’s theory, and this for several reasons. First, “communication” is a notoriously hazy concept. It means far too many different things to far too many different people. This much is evident in the astonishing variety of ways in which communication is defined. Moreover, any attempt to define communication runs the risk of inviting any number of familiar objections, ranging from the persistent argument that communication is impossible to the charge that communication is unjust. I have therefore tried to make as explicit as possible what, exactly, I mean—and, more importantly, what MacIntyre, exactly, means—by the use of the term “communication”. I then provide a detailed account of MacIntyre’s theory. I have, again, found it necessary to supplement his arguments with detailed and practical examples. It will become obvious by my choice of examples that I am presenting his theory of communication with the intention of illuminating the conflict between Islam and human rights. Chapter 4 ends with an account of MacIntyre’s model of dialogue. This is only a partial account, however, for it continues—with good reason—well into the following chapter.

Chapter 5 reviews John Durham Peters' critique of dialogue. According to Peters, dialogue is motivated by the ideal of reciprocity and is therefore ultimately a source of both monotony and tyranny. Peters contends that dialogue is not a good model of communication for a pluralistic democracy. He therefore proposes an alternative to dialogue, namely, dissemination. I have found it necessary to evaluate and answer Peters' critique of dialogue. For if that critique is correct, it might be seen to undermine the case being made here for MacIntyre as a communication theorist. I thus provide a critique of Peters' critique in the light of MacIntyre's mature thought. Just as Peters sets Jesus in competition with Socrates so as to illustrate the superiority of dissemination over dialogue, I set Peters in competition with MacIntyre so as to challenge Peters' case for dissemination. In so doing, I intend to throw in question Peters' idea of "the Christian theory of communication" and also to demonstrate that MacIntyre succeeds where Peters fails, namely, in providing a practical vision for communication in a pluralistic world.

Chapter 6 presents a case study concerning the moral conflict between Islam and human rights. I have chosen to focus on this particular conflict for several reasons. First, it illustrates rather perfectly several of the key ideas presented in MacIntyre's work. It is, first and foremost, an example of fundamental, intractable, and interminable moral disagreement between two rival, incompatible, and incommensurable moral systems. Second, Islam is a textbook example of what MacIntyre means by a moral tradition. Moreover, Islam is, as many commentators have observed, a tradition in crisis. The nature

of that crisis can be explained no better than by MacIntyre's account of the epistemological crisis of traditions. In this case study, I review a debate between two contemporary scholars of Islamic law. The first is a proponent of reform in Islamic law and an advocate of human rights. The other is a staunch critic of such reform and a defender some of the harshest practices in traditional Islamic law. My aim in Chapter 6 is to illustrate how the intractability of their moral disagreement results from their appeals to objectivist and relativist arguments. Finally, I propose a way out of their argumentative deadlock based on MacIntyre's model of dialogue and rational persuasion. As will be obvious, I in no way suggest that my analysis ought to be a substitute for actual dialogue and debate. It serves, rather, as a proposal for what a way forward might actually look like.

In my concluding remarks, I make a case for recognizing MacIntyre as a communication theorist. The primary value that I see in his project is threefold: diagnostic, theoretical, and practical. MacIntyre has identified, perhaps more perceptively than any communication scholar, one of the most urgent communication problems of our time. He has also issued a lasting challenge to Enlightenment-based theories of justice that leave no room for conversation with others. Moreover, MacIntyre has, contrary to what his many critics maintain, proposed a practical way out of the dilemma he has diagnosed. Indeed, it would be difficult to find a canonical communication scholar who can rival MacIntyre's achievement. I therefore argue that MacIntyre ought to be given a rightful place in the community of communication theorists.

CHAPTER ONE

The Problem of Moral Conflict

Thinking About Moral Conflict: An Opening Case Study

In the fall of 2003, Syed Mumtaz Ali, a retired lawyer and scholar of Islamic law, publicly announced the establishment of the Islamic Institute of Civil Justice (IICJ), an organization dedicated to providing practicing Muslims with a means of resolving civil disputes according to the principles of Islamic law. The IICJ was designed to be a viable and legitimate judicial tribunal whose rulings were to be recognized and enforced by the state. The tribunal was to operate not anywhere in the Islamic world, but rather in Ontario, Canada. It was designed as an alternative to Canada's secular court system and as an opportunity for members of Canada's Islamic community to lead a life in accordance with Islam while residing in a non-Islamic state.

The IICJ was the outcome of longstanding efforts by members of Canada's Islamic community to achieve formal recognition of Islamic law. Ali himself had been working for such recognition since as far back as 1962, when he became the first lawyer in Canada to swear an oath of allegiance on the Qur'an. According to advocates of the *shari'ah* tribunal, Islam requires its adherents to submit to the authority of Islamic law to the fullest extent possible. Such advocates claim that Muslims living in non-Muslim majority countries are required by their faith to obey Islamic law to the extent that they do not contravene the official laws of the state. Prior to the establishment of the *shari'ah*

tribunal, Muslims in Ontario had no choice but to resolve civil disputes through the secular court system, an option many Muslims found alienating. However, with critical mass and sufficient organization, the IICJ had for the first time offered the possibility of a viable alternative, one that could satisfy the aspirations of a growing community of devout Muslims.

Part of what motivated Ali to establish the IICJ was the 1991 Arbitration Act, which permitted members of Ontario's local faith communities to settle civil disputes according to the principles of their respective faiths. Under the Arbitration Act, members of the Jewish, Catholic, and Isma'ili communities had established tribunals that successfully resolved civil disputes between the members of their communities. According to one Syed Wasi Mazhar Nadvi, an Islamic scholar then visiting from Pakistan to support Ali's initiative, Canada's Islamic community had for too long "failed to take advantage" of the Arbitration Act. As Ali himself put it, "the concession" granted by *shari'ah* to use a secular court system "is no longer available to us because the impracticality has been removed. In settling civil disputes, there is no choice indeed but to have an arbitration board." According to Ali, the *shari'ah* tribunal was not merely one option among others; Muslims were required by Islam to turn to an Islamic court in the event of a civil dispute. Ali went so far as to assert that failure to submit to the authority of the tribunal would preclude one's standing in the community as a "good Muslim." Ali made his intentions about the tribunal abundantly clear: the IICJ would offer membership to everyone from the Muslim community. However, once membership status was secured, a Muslim would be institutionally duty-

bound to settle all civil disputes through the tribunal, the decisions of which would be “final and binding.” Subsequent appeals to the secular court system to challenge a decision by the tribunal would effectively be futile, as the latter would have “no discretion in the matter.”¹

The IICJ might very well have become a functioning court, much like its Jewish, Catholic, and Isma’ili predecessors, had it not been for the character of Ali’s announcement. The conspicuously vocal and forceful tone of that announcement immediately generated a storm of public discussion. Commentators rushed to probe the moral and legal implications of applying the principles of Islamic law in a secular state, focusing in particular on the issue of women’s rights. The controversy was greatly intensified when Marion Boyd, former Ontario Attorney General and former Minister Responsible for Women’s Issues, was appointed to examine the tribunal and assess its potentially negative consequences on women. It was during Boyd’s tenure as Attorney General that the Arbitration Act was initially passed.

Boyd submitted her report in December 2004. Acknowledging the increasing public concern for women’s rights, she offered qualified support for the *shari’ah* tribunal. Boyd proposed an amendment to the Arbitration Act, which would require provincial regulation of all faith-based tribunals to ensure harmony between the tribunal and the Canadian Charter of Rights and Freedoms, the latter guaranteeing equality between women and men. In addition, she proposed that all mediators and arbitrators receive formal training and education in federal

¹ All quotes are taken from Van Rhijn (2003).

and provincial family law, the principles of mediation and arbitration, and the sociology of domestic violence (Boyd, 2004: 110-111). However, a decision by Ontario Premier Dalton McGuinty would not be forthcoming for almost nine months, during which public suspense over the *shari'ah* tribunal exploded into an international controversy.

In addition to the IICJ, proponents of *shari'ah*-based arbitration included Muslim organizations such as the Canadian Islamic Congress, the Canadian Council of Imams, the Council on American-Islamic Relations (CAIR-CAN), and the Islamic Society of North America. They also included non-Muslim organizations, such as B'nai Brith and the Evangelical Fellowship of Canada. Opponents of the tribunal included Muslim organizations, such as the Muslim Canadian Congress and the Canadian Council of Muslim Women, as well as secular organizations, such as the Humanist Association of Canada, the Women's Legal Education and Action Fund, the National Association of Women, and the National Organization of Immigrant and Visible Minority Women of Canada.

Those who supported the *shari'ah* tribunal argued that Canada's policy of multiculturalism guaranteed religious and group rights, and that the Muslim community therefore had the right to establish a tribunal based on the principles of a shared system of religious beliefs. They additionally pointed to the existing practice of faith-based arbitration by other faith communities. They further argued that the tribunal would not contravene the Canadian Charter of Rights and Freedoms. Addressing the heated question of women's rights, Kathleen

Bullock of the Islamic Society of North America stated, "The main understanding of women's equality in the West right now is the Liberal-feminist version which says that if men and women are not treated in an identical manner, then women are being oppressed." Bullock elaborated her point by saying, "There are other understandings of what women's equality means and the one that is best expressed from the Qur'anic point of view is 'different but equal'."²

Those who opposed the tribunal argued that group rights are not always compatible with individual rights. They upheld the liberal view that in the event of a conflict between group and individual rights, the latter ought to prevail. They further argued that Islamic law was fundamentally incompatible with gender equality and women's rights, and pointed to notorious examples in the Islamic world as proof of that incompatibility. Some argued that the *shari'ah* tribunal was simply one part of a much larger and systematic Islamic agenda to change the cultural fabric of North America and that the tribunal therefore had to be vigorously resisted. Others argued that permitting separate laws for separate communities was a categorically regressive move and that the ideal of equality between citizens required one law for all.

What could have been an ordered and civil dialogue eventually devolved into a disordered and vocal conflict between two increasingly defiant parties. Although representatives from each side of the conflict expressed their views through various press releases, editorials, magazine articles, and public interviews, constructive engagement between the two parties was minimal and

² All quotes taken from Marina (2005).

elusive. This had in part to do with the lack of an adequate forum in which their disagreement could be systematically conducted. The Canadian media offered at best sensationalized reporting and extremely brief debates between the two sides, debates that typically lasted for no more than a few minutes. The lack of a proper dialogue forum and the limited opportunity to discuss the matter publicly and systematically only encouraged an emotionally charged and highly superficial debate in which each party sought to promote its own agenda through simplified talking points and without paying due consideration to the arguments and concerns of the other side.

The controversy reached its height during September 2005, when feminist and human rights activists began protesting the *shar'iah* tribunal in Canada and even abroad. In Ontario, Quebec, and British Columbia, and from far away as France, Britain, Germany, and Sweden, activist groups staged dramatic public demonstrations to voice their opposition to the tribunal. In Toronto, one demonstration was met with a counter-demonstration, which led to a shouting match between the two sides. Even certain Canadian celebrities became involved in the controversy. Famed novelist Margaret Atwood and actress Shirley Douglass added their names to a petition calling for a ban on the tribunal. On September 11, 2005, McGuinty made the surprise announcement that there would be no *shari'ah* tribunals in Ontario. Seeking to settle the controversy once and for all, McGuinty declared that there would be "one law for all Ontarians," thereby banning all faith-based tribunals in the province (Freeze & Howlett, 2005). Although Muslim, Christian, and Jewish proponents of faith-based

tribunals expressed disappointment in McGuinty's decision, public debate about the tribunals was effectively brought to an end.

Aspects of the Controversy

The controversy over the *shari'ah* tribunal is a good illustration of the problem of moral conflict in modern pluralistic democracies. It featured rival and competing parties, each of which endorsed a certain course of action fundamentally opposed to that endorsed by its rival. Each side offered a justification formulated through a distinct moral framework fundamentally at odds that of the other side. Each, moreover, exhibited a sense of surety and confidence in the validity of its standpoint and a like sense of surety and confidence in the lack of validity of the rival standpoint. Neither party seemed very willing or able to consider the arguments of the other side. Worse, neither seemed to think that its voice was being heard. Both therefore felt compelled to make their voices heard, first by media appearances and later by public protest. The outcome was a deafening pattern of repeated assertion and counter-assertion, a deadlock beyond which they were unable to move. Perhaps the most telling aspect of the conflict, however, was the manner in which it was brought to a close. A decision was made, not as the outcome of systematic deliberation, but rather by fiat. The very arbitrariness of the decision seemed only to underscore the disordered and futile character of the conflict. It also had the effect of leaving proponents of faith-based tribunals with the impression that the matter was not given a fair hearing.

Another crucial aspect of the controversy was an obvious clash of cultures. In this case, a growing faith community with a distinct set of values and priorities rooted in an ancient Near Eastern religious tradition clashed with a much larger and better-established secular community, the latter guided by its own similarly distinct set of values and priorities, but rooted instead in a characteristically modern European political tradition. Each community afforded for its members a more or less well defined worldview, internal to which is a distinct evaluative system for the interpretation of human conduct and the formulation of normative judgments concerning the priority and validity of a given course of action. In this case, the rival parties clashed not just in their respective goals and ends but also in their respective judgments concerning a specific course of action, namely, the establishment of a faith-based tribunal. The goals of the one were opposed and undermined by those of the other.

The controversy over the *shari'ah* tribunal was and remains merely one among many moral controversies in recent Canadian history. This, of course, is to say nothing of the countless moral controversies in the recent history of modern pluralistic democracies more broadly, controversies in which rival and competing parties seem not only unable to secure rational agreement on a large range of substantive moral questions, but equally unable to secure anything even resembling rational progress toward such agreement. The controversy over the *shari'ah* tribunal merely illustrates certain core features of the structure of moral conflicts and raises the types of questions that might be asked about moral conflicts generally. How, for example, are we to account for the inconclusive

character of so much of contemporary moral debate? Is it fair to attribute this inconclusiveness to the superficiality of public discourse encouraged by modern news media or is there a deeper and more underlying reason? How do differences between cultures contribute to the problem of moral conflict? What role do rival moral vocabularies play in perpetuating such conflict? Is it realistic to expect of moral conflict that there could ever be anything like rational agreement between rival and competing parties, especially if and when the principal sources of such conflict are cultural differences? Is there a place for truth in moral discourse or is it the case that moral conflict involves little else than a clash of competing wills and emotions? It is precisely these and similar kinds of questions that Alasdair MacIntyre has sought to answer in developing an account of contemporary moral discourse.

MacIntyre's Disquieting Suggestion

In what is to date perhaps the most provocative and dramatic opening chapter to a work of philosophical ethics—an otherwise notoriously dry and technical subject—MacIntyre begins *After Virtue* by posing a “disquieting suggestion”. He asks us to imagine a nightmare scenario in which the natural sciences become the victim of apocalyptic cultural destruction. After a number of natural disasters, the general public develops a deep-seated hostility toward science and scientists, suspecting it and them to have been responsible for those disasters. The public soon explodes with mass fury and outrage, wreaking incredible and irreparable havoc, destroying scientific facilities and equipment,

committing mass murder of scientists, and setting fire to scientific literature. Then, a fascist movement takes control and implements a strict ban on the teaching of science. The ban remains in effect until knowledge of science is largely lost. Much later, a recovering public develops an interest in this subject once called science, even seeking to revive it. However, the public possesses no memory of what science actually was. As it turns out,

...all that they possess are fragments: a knowledge of experiments detached from any knowledge of the theoretical context which gave them significance; parts of theories unrelated either to the other bits and pieces of theory which they possess or to experiment; instruments whose use has been forgotten; half-chapters from books, single pages from articles, not always fully legible because torn and charred.

(1981/1984: 1)

Despite possessing only fragmentary knowledge, the public attempts to reconstruct what they believe science once used to be. They attempt to reconstruct the disciplines of biology, chemistry, and physics, not to mention the theories that once had their home in those disciplines. They attempt to reconstruct Darwin's theory of evolution and Einstein's theory of relativity. However, they also attempt to reconstruct discarded scientific theories, such as Becher's phlogiston theory, failing all the while to realize that it had been discovered to be false and was therefore discarded. Not that this matters very much, however, for what they manage to reconstruct only faintly resembles the original theories as they actually were.

In this reconstructed world of science, self-proclaimed scientists study "biology," "chemistry," and "physics". They employ what limited scientific concepts they are able to recover from the past, but without any knowledge of

their historical genesis and evolution, and approximating with only limited success the ways in which such concepts were formerly employed. They invoke terms such as “neutrino,” “mass,” “specific gravity,” and “atomic weight,” but in a manner that would likely have baffled scientists of the past. Moreover, they manage to speak and think in such a way as to provide the surface appearance of internal coherence, though what accounts for that coherence is certainly not what accounted for it in earlier scientific discourse. They attempt to evaluate the merits of competing theories, but have no shared standards or criteria by which to conduct such evaluation. The most interesting feature of the reconstructed scientific discourse, however, is the allegiance of the new scientists to one or another reconstructed scientific theory. Some of the new scientists arbitrarily affirm a particular theory, though they remain unable to provide for it any rational justification. They clash with those who similarly affirm a rival theory, but who likewise remain unable to provide for it any rational justification. Disagreements eventually devolve into conflicts, in which the rival parties merely affirm and reaffirm their respective beliefs. Eventually, a group of cynics declare that no one scientific theory is better or worse than any other and that choice in the matter is one of mere personal preference. The new scientists take this declaration to be an attack on the very ideal of truth, an ideal that lies at the heart of their profession, and so a separate clash with the cynics ensues.

According to MacIntyre, this fictional scenario has a very real counterpart in the world of morals and moral discourse. The state of contemporary moral

discourse, he contends, is in just as confused and just as aimless a condition as the scientific discourse in the fictional scenario recounted above. As he puts it,

The hypothesis which I wish to advance is that in the actual world which we inhabit, the language of morality is in the same state of grave disorder as the language of natural science in the imaginary world which I described. What we possess, if this view is true, are the fragments of a conceptual scheme, parts which now lack those contexts from which their significance derived. We possess indeed simulacra of morality, we continue to use many of the key expressions. But we have—very largely, if not entirely—lost our comprehension, both theoretical and practical, of morality.

(1981/1984: 2)

This, of course, is a very bold hypothesis and there is a temptation to dismiss it as a case of reckless, if imaginative, hyperbole. For if it were true, then it would appear to implicate most every one of us. We would, according to this argument, be the unwitting heirs to an incoherent public discourse we have failed to recognize as incoherent. MacIntyre, however, makes a number of preliminary observations to justify his contention that contemporary moral discourse really is as disordered and incoherent as the fictitious scenario recounted above.

MacIntyre on the Nature of Contemporary Moral Disagreement

Consider first the kinds of examples of intractable moral disagreement that MacIntyre brings to our attention. We disagree, for example, about whether and when it is ever just to go to war. We disagree about the morality of abortion. We disagree about the value and necessity of universal healthcare. We disagree about whether to permit a wide, and widening, gap between rich and poor. We disagree about the necessity and morality of capital punishment. We disagree about whether and how to implement reparations for injustices committed in the

distant past, especially when the burden for such reparations is imposed upon those who were not themselves personally responsible for such injustices (MacIntyre, 1981/1984: 6-7, 1988: 1). This, of course, is merely a familiar sample of intractable moral disagreements. As MacIntyre notes, it could easily be supplemented by a potentially endless list of other such examples.

Consider also the kinds of arguments that are typically marshaled in defense of one or another side in such disagreements. Some arguments will invoke the principle of necessity and appeal to future consequences to justify one or another course of action. Others will invoke the concept of rights—natural, human, and universal—and will therefore oppose those courses of action that threaten or compromise such rights. Some will invoke the principle of individual freedom and liberty, whereas others will invoke the priority of the common good. Some will invoke the principle of utility, whereas others will appeal to the laws and commandments of one or another divine authority (MacIntyre, 1981/1984: 6-8; 1988: 1). Arguments of one kind will conflict with arguments of another. Between such conflicting arguments, however, there appears to be no set of common premises by which to settle such conflict. Those who, for example, invoke the principle of necessity to endorse a policy of foreign intervention find themselves in disagreement with those who oppose that policy on account of one or another conception of right. What right, it will be asked, do we have to intervene in the affairs of a foreign and sovereign nation? In other cases, disagreement stems from arguments that invoke a common moral concept, but to incompatible ends. Thus, those who affirm a woman's right to an abortion find

themselves in disagreement with those who invoke the rights of the unborn. Rights therefore clash with rights and there appears to be no impartial way to adjudicate between rival and incompatible claims to rival and incompatible rights.

Consider also a third and telling fact about contemporary moral disagreement. It is not merely that we disagree with one another on fundamental moral questions. It is that we do so in a characteristically shrill and defiant tone (MacIntyre, 1981/1984: 8). Our moral arguments, after all, rest in the end upon one or another, more or less explicit, moral premise. When that premise is thrown in question or challenged by a rival premise, we often experience a certain impatience and sense of frustration. We fall back upon the habit of asserting and reasserting our foundational premise, as though the act of repetition were itself the equivalent of actual argument. Moreover, when mere repetition fails, we tend to repeat shrilly and defiantly, as though increasing shrillness and defiance were similarly the equivalent of actual argument. We often perceive the very act of challenging our foundational moral premises as somehow worthy of our indignation. It is for this reason that moral discourse often culminates in the feeling of sanctimoniousness. In extreme cases, it culminates in the ultimate act of sanctimony: acts of public protest.

Finally, it is not just in our interpersonal dealings that we find ourselves confronted by intractable moral disagreement. MacIntyre reminds us that it is the pervasiveness of such disagreement in our media and public forums for dialogue and discussion that ensures that such conflict has become an inescapable part of our everyday social environment. He notes by way of example the seeming

omnipresence of intractable moral disagreement in “newspaper editorials and high-school debates, on radio talk shows and letters to congressmen, in bars, barracks, and boardrooms” (1981/1984: 7-8). This list, too, is a mere illustrative sample of the settings in which our disagreements take place and could easily be extended and updated in light of the possibilities for public conversation afforded by other and newer media technologies.

We witness heated and antagonistic moral disagreements, for example, on countless debate programs on television, programs in which pundits and other self-styled experts clash with one another on countless moral questions. That pundits have come to play such a prominent role in our media-dominated culture is perhaps a testament to the pervasiveness of intractable moral disagreement. Moreover, the spectacle of pundits clashing with pundits seems to have become commonplace on such debate programs. Indeed, the extraordinary popularity of heated and antagonistic debate programming suggests that clashing is now taken to be inevitable. Clashing seems not so much an obstacle to be overcome as it does an end in itself. Conversely, we might also take note of the equally extraordinary popularity of comedy shows that satirize mainstream television news and debate programming.³ The rival popularity of such comedy shows is perhaps an index of just how tired large segments of the public have become with shrill, angry, and polemical public debate, thereby serving as yet another,

³ I have in mind, of course, shows like *The Daily Show with John Stewart* and *The Colbert Report*, both of which have achieved a certain cult-like status in the United States and even abroad, and which are well known for their nightly routine of unleashing merciless satirical critiques of the mainstream news media.

albeit indirect, testament to the pervasiveness of intractable moral conflict in our society.

More recently, the Internet has offered further opportunities to contribute to public debate about matters moral and political. Online editorials and opinion pieces, video hosting websites, discussion boards, blogs, vlogs, and social networking sites ensure that we are not only further exposed to rival and incompatible moral standpoints, but that we now have more opportunities than ever to participate in the conflict between such standpoints. Moreover, technological convergence permits more conventional media formats, such as newspaper editorials, radio talk shows, and television debate programming, to be endlessly reproduced and distributed through other media. Our public conversations have therefore been expanded and multiplied many times over. This expansion and multiplication, however, provides no indication that our disagreements are any less intractable. Use and access are not measures of material progress toward agreement. If anything, new media have provided new means for further entrenching our rival and incompatible standpoints. Surely, MacIntyre's contention concerning the omnipresence of intractable moral disagreement is as true today as it was when he first penned *After Virtue* in 1981.

The fact of widespread, intractable, and shrill moral disagreement, MacIntyre contends, is preliminary evidence that we indeed lack a shared moral framework by which to conduct our public conversations about matters moral and political. There is, however, a second and far more controversial part of MacIntyre's initial hypothesis, for if that hypothesis is correct, then the disordered

character of our moral discourse is the outcome a certain history—a history of which we are for the most part unaware. One of the aims of *After Virtue* is to provide a critical account of that history. It is an attempt to bring to light the chain of events that led to the disordered and incoherent state of contemporary moral discourse. Although it would be impossible to reproduce that history in summary form without severely compromising the richness and subtlety of MacIntyre's many and diverse historical insights, such a summary is nonetheless necessary, for "it is only in the light of that history that we can understand how the idiosyncrasies of everyday contemporary moral discourse came to be" (MacIntyre, 1981/1984: 16). It is therefore to that history that the following sections are devoted.

The Two Original Moral Frameworks

One of the central theses of *After Virtue* is that both morality and the language of morals originally had their home in two distinct moral frameworks, one of which has largely been lost and the other of which no longer enjoys the power and authority it once wielded in the pre-modern world. It is the loss of these two original moral frameworks, MacIntyre contends, that accounts for the breakdown and incoherence of contemporary moral discourse and communication in modern pluralistic societies.

The first of these frameworks is the ancient Athenian tradition of virtue ethics. According to MacIntyre, Aristotle's *Nicomachean Ethics* best exemplifies this ancient ethical tradition. Aristotle defines ethics as the study of how best to

realize one's end or *telos*. This end was not a matter of individual choice, but rather of human nature. On this model, ethical choice is predicated upon a certain metaphysical biology: at any given moment, a moral agent is merely in a state of unrealized natural potentiality. As MacIntyre puts it, there is always a gap or distance between "man-as-he-happens-to-be" and "man-as-he-could-be-if-he-realized-his-essential-nature" (1981/1984: 52). Virtues are simply those forms of conduct that move the agent toward his or her naturally designated end, and vices those that thwart such movement. The Aristotelian moral scheme therefore consists of four core elements: 1) a conception of the human *telos*, 2) a conception of human nature as unrealized natural potential, 3) the presupposition of human rationality, and 4) a conception of human conduct as that which either moves or fails to move toward the human *telos*. Morality is, on the Aristotelian view, no great philosophical mystery. In a cultural setting in which there is broad, if implicit, agreement concerning the fundamental components of morality, moral judgments and imperatives are not only intelligible, but also readily justifiable. One's moral choices—what one *ought* to do—can, in principle, be settled with relative ease.

The second framework in which morality and moral language had their home is that provided by religion. For MacIntyre, the paradigmatic religious traditions are those of Judaism, Christianity, and Islam, and he takes the paradigmatic figures of these traditions to be the three great theologians of the high Middle Ages: Averroes (d. 1198), Maimonides (d. 1204), and Aquinas (d. 1274). According to MacIntyre, the religious framework of morality differed from

its Aristotelian counterpart in particulars only, but not in its fundamental components and structure. We still find a conception “man-as-he-happens-to-be” and “man-as-he-could-be-if-he-realized-his-essential-nature,” along with a conception of the human *telos*, a catalogue of virtues and vices, and a conception of human beings as rational creatures capable of free will and moral choice. However, in the religious framework, the human *telos* is defined and established not by human nature, but rather by God. Second, the catalogue of virtues and vices are themselves determined by divine laws and commandments. What one ought or ought not to do is now supplemented by what is permissible and impermissible. Third, in the Christian and Islamic models, moral choice is clarified by the prospect of reward and the fear of punishment in an afterlife. Once again, deriving morality in this religious schema is not a matter of complex abstraction. Although the specific contents of morality differ from one monotheistic religion to another, each nonetheless furnishes for its adherents a functioning and intelligible framework for morality.

Moral Theory During the Enlightenment

MacIntyre’s story of the decline and fall of moral discourse is primarily a Western one. According to the historical narrative of *After Virtue*, the religious framework of morality began to unravel in Western Europe during the Reformation. This period of social and cultural upheaval endured roughly from the early sixteenth century well into the eighteenth century. Its principal catalyst was the rise and proliferation of competing schools of Protestantism. These

notably included anti-rationalist schools of Protestant theology, which categorically demoted the status of reason and affirmed the priority of faith. MacIntyre treats Jean Calvin as the representative figure of this type of anti-rationalist thinking. He notes that Calvin retained the conception of “man-as-he-happens-to-be” and “man-as-he-could-be-if-he-realized-his-essential-nature,” along with a conception of right and wrong determined by divine laws and commandments. However, with the demotion of reason, obedience to divine commandments was no longer a matter of individual moral choice, but rather one of grace. The question of moral accountability was therefore profoundly complicated in a Calvinist theological schema. It was partly this current of anti-rationalist theology, MacIntyre contends, that prompted the rise of secularism in Western Europe.

As the historical narrative of *After Virtue* goes, the increasing diversity of theological beliefs and the current of anti-rationalist theology in large parts of Western Europe motivated a general public loss of faith, not in religion per se, but rather in the capacity of religion to settle basic moral questions. This loss of faith signaled a momentous break between morality, on the one hand, and, on the other, religion, law, politics, and aesthetics—domains of inquiry that had all formerly been part of one and the same comprehensive system of beliefs. Morality was now regarded as a separate and altogether independent domain of inquiry, one that could no longer appeal to religious beliefs as a basis for moral justification. Although the content of much of Western European morality remained largely the same, the general public became increasingly aware of the

impending need for a neutral and non-religious source of moral justification. It was precisely this need that motivated the Enlightenment's search for a secular basis to morality and it was precisely this search that MacIntyre insists was bound to fail.⁴

One obvious sign that the Enlightenment project was indeed bound to fail is that this project did not always seek to reinvent morality anew from supposedly neutral or universal foundations. The early moral philosophers of the Enlightenment rather conveniently sought to provide a secular justification for the morality that prevailed in the very social and historical settings in which they happened to write. As MacIntyre observes, Hume notably sought to justify an early 18th century post-revolutionary English morality and Kant similarly sought to justify a late 18th century Lutheran morality. However, it was this pattern of endorsing—largely, if not entirely—the morality of one's own culture that accounts for the second, and far more serious, reason behind the failure of the Enlightenment project: each of the moral philosophers of the Enlightenment sought to formulate a secular justification for morality by fundamentally altering the two frameworks in which morality and moral vocabulary originally had their home. The result, MacIntyre contends, was bound to be incoherent.

The Enlightenment moral philosophers were faced, for example, with the problem of how to treat “ought” statements in the absence of a functional account of human nature. As stated earlier, it is only in the light of such an account that “ought” statements themselves had any point and purpose at all. They were also

⁴ The above interpretation of this part of MacIntyre's historical narrative is based on D'Andrea (2006: 235).

faced with the problem of whether to retain or reject hypothetical imperatives, that is, what one ought to do if one were to realize one or another end, but in the absence of any conception of a human *telos*. They were likewise faced with the problem of how to justify moral judgments, which, again, were formerly intelligible and justifiable within a distinctly teleological context. As MacIntyre observes, in the Aristotelian tradition, to call something “good” was merely to make an evaluative judgment about its ability to fulfill its function, whether that something was a human being or a cooking utensil. Moreover, the concepts of good, bad, right, and wrong could apply to an action just as they could to a person or object. Moral judgments according to the Aristotelian scheme are not merely evaluative; they are also factual. To say that so-and-so or such-and-such is good or bad is therefore to make the sort of statement that could be treated as correct or incorrect, true or false. Divorced from a teleological context, it becomes entirely unclear how moral judgments could be conceived as statements of fact or how moral imperatives could possibly retain imperatival force.

The problem of providing a secular foundation to morality was only compounded by the search for a non-religious framework for moral concepts that originally functioned within a distinctly religious culture. The Enlightenment project was faced, for example, with the paradoxical problem of justifying categorical imperatives, or what one ought to do as specified by certain laws and commandments, without appeal to divine authority. MacIntyre underscores the *incoherence of divorcing commands from a command-giver and then expecting those commands to carry moral force*. It is likewise unclear in what sense a

given action could conceivably be permissible or impermissible in the absence of an authority to issue or withhold permission.

According to the narrative of *After Virtue*, the history of Enlightenment moral philosophy is the history of a series of successive failures to develop an impartial justification for a supposedly timeless and ahistorical moral system. MacIntyre reviews several key examples of failed attempts to develop a secular moral theory, examples taken from the Scottish, French, German, and British Enlightenments. What he provides, it should be noted, is an illustrative, rather than comprehensive, history.

The first example reviewed in *After Virtue* is that of David Hume, one of the leading philosophers of the Scottish Enlightenment. Hume is significant for having early on recognized the difficulty in justifying morality by appeal to indisputable statements of fact. In *A Treatise of Human Nature* (1739/1986), Hume observes that traditional moral systems invariably ground moral imperatives in factual claims about God or human nature. As Hume sees it, each and every instance of a moral imperative containing the auxiliary verb “ought” is tied to some starting factual premise containing the auxiliary verb “is”. Hume takes this to be a false deduction based on a false relation; there is no logical relation, he insists, between moral and factual claims. Although the point is supposedly so subtle as to be virtually “imperceptible,” it is nonetheless “of the last consequence,” for this false relation has been the sole basis of moral justification (1739/1986: 521). Once it is recognized that there can be no such justification, Hume contends, traditional forms of morality are liable to collapse.

Indeed, recognition of this point prepares the way to “subvert all the vulgar systems of morality” (1739/1986: 521). This marks the start of the famous is/ought problem in the study of ethics, a problem debated to this very day.

Though Hume was certainly not one to put faith above reason, being as he was a passionate and unrelenting skeptic of religion, he nonetheless rejected the claim that reason has a place in the world of morals and actions. According to Hume, morals are rooted in feelings, emotions, and passions, which he treats as universally pre-rational. Reason, according to this view, can bring about no change in morals. Since reason’s point and purpose is to assess the truth of formal propositions, it has nothing whatever to say about that which is insusceptible to “agreement or disagreement” (1739/1986: 510). Hume goes so far as to say that actions cannot be reasonable. In the face of the passions, reason is “wholly impotent, and can never be the source of so active a principle as conscience, or a sense of morals” (ibid).

This is not to say that Hume was a nihilist or that he endorsed the view that morality could be given no justification at all. Surprisingly, Hume chose to endorse moral attitudes as they were supposedly rooted in our natural impulses. The right course of action, according to this view, is simply that which is naturally motivated by the passions. The only difficulty concerns how properly to catalogue the passions and their corresponding actions. Part of this difficulty stems from the obvious diversity in the order of the passions from one culture to the next. Hume treats the passions of one culture as perverse, while treating those of another as criminal. The right order of the passions, according to Hume,

is that which prevailed in post-revolutionary England in the late seventeenth and early eighteenth centuries.

As MacIntyre points out, in endorsing one particular order of the passions over rival and competing orders, Hume was guilty of “covertly using some normative standard—in fact a highly conservative normative standard—to discriminate among desires and feelings,” thereby leaving himself open to the charge of arbitrariness (MacIntyre, 1981/1984: 49). Hume recognized the need to identify a fundamental or governing passion to guide all other passions and to provide some basis for structure and consistency. To this end, he invoked the passion of sympathy, which could supposedly be relied upon to stabilize the other passions and guard against capricious and self-serving conduct.

MacIntyre, however, points out a fundamental inadequacy in this move. As he puts it,

It is clear that Hume’s invocation of sympathy is an invention intended to bridge the gap between any set of reasons which could support unconditional adherence to general and unconditional rules and any set of reasons for action or judgment which could derive from our particular, fluctuating, circumstance-driven desires, emotions, and interests.

(1981/1984: 49)

MacIntyre notes that Adam Smith had followed Hume in invoking the feeling of sympathy to precisely the same end, but argues that, in both cases, “the gap...is logically unbridgeable.” MacIntyre describes the role of sympathy in Hume’s moral theory as a “philosophical fiction” (ibid).

The challenge faced by Hume in providing order and consistency to the passions was faced in turn by Denis Diderot, one of the defining figures of the French Enlightenment. Despite Diderot’s reputation as a cultural radical, a

reputation solidified by short-term imprisonment for alleged radical activity, MacIntyre affirms Diderot's outlook as that of a moral conservative. In his posthumously published *Le Neveau de Rameau* (1772/2001a), the dialogue between *moi* and *lui*—the former the mouthpiece of the *philosophe* himself and the latter that of the inquisitive Rameau—illustrates Diderot's heightened understanding of the problem of grounding morals in the passions. The *philosophe* contends that if only we were to give free reign to our passions and desires, the outcome would more or less be the same as that brought about by adherence to conventional French morality. Such morality ought therefore to be understood as merely instrumental to the fulfillment of our desires and passions. Rameau responds with uncomfortable questions about human motivation and conduct. Why, he asks, would we work towards long-term goals and commitments when our desires and passions seem to demand immediate fulfillment? By what logic do we delay such fulfillment if fulfillment itself is our operative standard of judgment? More importantly, how can fulfillment of our desires and passions lead to the sort of well-ordered society advocated by the *philosophe* when they seem to lend themselves less to social order and more to self-interest and social disorder? What justification could there possibly be to avoid self-serving and manipulative conduct?

The *philosophe* is forced to confront the problem of rival desires, as well as that of rival orderings of desire. If a given course of action can only be justified by appeal to the desires, the question then arises: by which desires and by which ordering? *Le Neveau de Rameau* is notably inconclusive on these

questions, a fact that does not live up to the Enlightenment ideal of providing conclusive answers and which perhaps also explains Diderot's decision not to publish *Le Neveau de Rameau* during his lifetime. Diderot did, however, attempt to answer these and kindred questions in a later dialogue, his *Supplément au Voyage de Bougainville* (1772/2001b), in which he extols the ordering of the desires as such ordering is to be found in French Polynesia. Diderot contrasts the supposedly pure and unadulterated desires that motivate what for him is the archetypal primitive society with the depraved and corrupted desires that motivate modern European society. MacIntyre, however, notes again the leap of logic required by the endorsement of a particular order of desire over and above rival such orders, an endorsement that appeals to a supposedly primordial human nature. Diderot, like Hume, was forced to employ a fiction to give his moral theory validity and coherence.

If Hume and Diderot were led to one extreme by basing their respective moral theories on the desires and passions and avoiding altogether any role for reason, then Immanuel Kant was led to the opposite extreme by basing his moral theory on pure practical reason and avoiding altogether any role for the desires and passions. MacIntyre observes that Kant's moral theory is predicated upon the rejection of two traditional justifications for morality. The first of these justifications holds that moral conduct is that which ultimately leads to happiness. Kant dismisses this justification on the grounds that happiness varies and shifts from person to person and that, in the end, such justification can only assume the form of a hypothetical imperative. For Kant, the moral law must, through and

through, be fixed and categorical for it to have any credibility and authority at all. The second justification holds that moral conduct is that which is commanded by God. Kant dismisses this justification also, not on account of the content of any particular set of commandments attributed to God, but rather because obedience to such commandments presupposes a faculty of moral judgment that renders the need for such obedience entirely superfluous. If a moral agent determines that the commandments of God ought to be obeyed, he or she can only have arrived at such a determination by appeal to standards and criteria independent of those commandments. However, it is precisely the possession of such standards and criteria that undermines the very point of divine commandments, namely, to provide standards and criteria for moral judgment.

According to MacIntyre, there are two fundamental principles underlying Kant's alternative moral theory. First, if morality is to be valid, then it must be rational, and if it is to be rational, then it must be one, for rationality itself is one. Just as there cannot be multiple rules for arithmetic, and hence multiple arithmetics, so, too can there not be multiple rules for morality, and hence multiple moralities; the rules must in each case be one and the same. Second, in a world governed by rational morality and populated by rational moral agents, the ultimate criterion for a justified moral action is not individual ability—a criterion whose application would doubtless vary from one moral agent to another—but rather a universalizable will. The answer to the Enlightenment's search for a secular and impartial basis for moral justification lies in a simple test, namely, that of the categorical imperative as articulated in Kant's *The Metaphysics of*

Morals (1797/1996). According to this argument, one must act only according to those maxims that can conceivably be willed as a universal law. At the heart of Kant's moral theory is the principle of universality. A moral system is not rational unless it applies to everyone equally and universally. Anything else would yield unfair privilege for some over others. The principle of universality is designed to guard against precisely such unfair privilege, and nothing, according to Kant, is more naturally constitutive of universality than reason. So powerful is reason in the Kantian system that it yields universal morals, maxims, laws, and commandments independently of any appeal to a divine command-giver.

Thus, whereas lying is permitted according to certain moral systems, on the grounds that it might on occasion be necessary for the realization of some greater good, lying is famously prohibited by the standards of Kant's moral theory, as it cannot conceivably be willed as a universal law. The maxim, "Tell lies if you must," introduces the problem of setting criteria for the identification of circumstances in which one must lie. However, setting such criteria presupposes that justified lying is instrumental to some greater good, thus rendering the rules of morality hypothetical and open to revision. It is precisely the conception of a greater good and its consequent conception of the hypothetical imperative that is flatly rejected by the Kantian scheme, and this because the very idea of a greater good is itself open to contention. Morals must be final and absolute. Thus, the maxim, "Never tell lies" can supposedly be willed as a universal law and therefore qualifies as a categorical imperative. Justified maxims are those that apply not just to each and every moral agent, but also to each and every

circumstance. Making exceptions to a given maxim on the basis of circumstance is antithetical to the spirit of a rational and universal moral system.

MacIntyre is quick to point out that Kant's secularized version of the categorical imperative does not effectively prevent dangerous or trivial maxims, such as "Keep all your promises through your entire life except one," "Persecute all those who hold false religious beliefs," and "Always eat mussels on Mondays in March" (1981/1984: 46). He further points out that the problem is not resolved by Kant's humanity principle. Conceived as the moral core of the categorical imperative, the humanity principle states that one ought to act only in such a way as to treat humanity, whether in the form of one's own person or that of another, always as an end, never as a means. MacIntyre notes that certain maxims that pass the test of universalizability nonetheless conflict with the humanity principle. So, for example, the maxim "Let everyone except me be treated as a means" can conceivably be willed as a universal law in a world of egoists who are perfectly willing to live by such a maxim. Such a world might very well be inconvenient, but convenience is not a criterion permitted by Kant's theory. Here, again, MacIntyre identifies an unbridgeable gap between two governing principles intended to do the hard work of providing order and stability to a secular system of morality. In MacIntyre's view, Kant's moral theory provides no such order and stability. The difficulty in accepting this theory is only compounded, as MacIntyre reminds us, by the fact that Kant just happened to endorse the Lutheran morality he inherited from his community in Königsberg. This strongly suggests that what presents itself as an impartial moral system in fact arbitrarily privileges the morals

of a highly specific social and historical community. In the narrative of *After Virtue*, Kant's attempt to provide a secular justification for morality was and remains inadequate.

Yet another example of failed moral theorists in MacIntyre's history of Enlightenment moral philosophy are the nineteenth century British utilitarians Jeremy Bentham and John Stuart Mill, both of whose collective influence upon contemporary moral theory and moral discourse endures well into the present day. In his *Introduction to the Principles of Morals and Legislation* (1789/1970), Bentham sought to redefine the very logic and concepts of morality and to provide for them a final and definitive foundation in a theory of human psychology. According to Bentham, human behaviour is ultimately motivated by the desire for pleasure and the aversion to pain. It is only in the light of these two "sovereign masters" that we can have any conception whatever of good and bad, right and wrong (1789/1970: 11). Good conduct is simply that which contributes to the feeling of pleasure and bad conduct that which contributes to the feeling of pain. The principle of utility was intended to serve as a rigorous criterion for the evaluation of moral conduct. Reconceived in this way, morality as a whole is furnished with a revised ultimate end, namely, the maximization of pleasure for the greatest number. It was on the basis of this new criterion that Bentham leveled a radical critique of the laws and policies that prevailed in the England of his day. The whole of the British legal system, Bentham believed, ought to be redesigned in the light of the principle of utility.

Mill followed Bentham in adopting the principle of utility in his liberal theory of justice. In *On Liberty*, Mill explicitly rejects abstract formulations of right and wrong, holding utility to be the “ultimate appeal on all ethical questions” (1859/1989: 14). His negative conception of freedom as that from coercion was given its positive counterpart in the conception of freedom as that to pursue one or another course of action on the basis of pleasure. Mill, however, was careful to discern a potentially fatal ambiguity in the appeal to pleasure, for pleasure is clearly of more than one kind. He therefore distinguished between the pleasures of “the higher parts of our nature” from those of the lower parts (42). The higher pleasures are intellectual, spiritual, and aesthetic, and are afforded by the unique faculties of the human mind, whereas the lower pleasures are those of the body and are shared by humans and animals alike. A society ought therefore to be governed by those laws and policies that contribute to the maximization of the right kind of pleasure for the greatest number.

Here, again, MacIntyre points to a fundamental weakness that undermines the utilitarian claim to a neutral and impartial standard of moral justification. Notwithstanding Mill’s division of pleasure into higher and lower grades, the principle of utility remains an inadequate criterion by which to settle moral questions. This inadequacy is evident first and foremost in the case of the individual who might well be torn between rival courses of action. As MacIntyre notes, a single individual might derive one sort of pleasure from the drinking of Guinness and quite another from swimming at the beach. Yet, the pleasures derived from the two activities are hardly one and the same. If the principle of

utility is to live up to its expectations, then it ought to furnish criteria for rank ordering higher pleasures on the basis of, say, intensity or duration, such that a single individual could conceivably pursue those forms of conduct that would yield the greatest intensity of pleasure for the greatest duration.

No such criteria, however, announce themselves and the choice between rival courses of action therefore remains arbitrary. It is the inadequacy of the principle of utility to serve as a criterion for moral judgment in the case of a single individual that, MacIntyre contends, renders the principle all the more inadequate to serve as a criterion for moral judgment in the case of an entire society. The higher pleasures sought by some are by no means the same as those sought by others, and, in more cases than one, those sought by one group are fundamentally incompatible with those sought by another. The pleasure sought by the foxhunter, for example, might run counter to that sought by the animal lover. How then ought we to decide between rival and competing moral claims when the principle of utility fails to serve as a neutral standard? MacIntyre puts the point as follows:

To have understood the polymorphous character of pleasure and happiness is of course to have rendered those concepts useless for utilitarian purposes; if the prospect of his or her own future pleasure or happiness cannot...provide criteria for solving the problems of action in the case of each individual, it follows that the notion of the greatest happiness of the greatest number is a notion without any clear content at all. It is indeed a pseudo-concept available for a variety of ideological uses, but no more than that. Hence when we encounter its use in practical life, it is always necessary to ask what actual project or purpose is being concealed by its use.

(MacIntyre 1981/1984: 64)

MacIntyre does not by any means reject each and every moral cause supported by utilitarian social and political activists. He praises Edwin Chadwick's campaign for improved public health measures and Mill's own campaign to end the subjection of women. MacIntyre nonetheless frankly and unapologetically dismisses the principle of utility as a "conceptual fiction," albeit a fiction that has in at least a few cases lent itself to "good causes" (1981/1984: 64).

Whether in Bentham's formulation or in that of Mill, the poverty of the principle of utility as a final criterion for the impartial evaluation of rival and competing moral claims was recognized by Henry Sidgwick, himself a self-reflexive and self-critical utilitarian, as a fatal flaw of utilitarian moral theory. In *The Methods of Ethics* (1874), Sidgwick subjects both Bentham and Mill to a stern and penetrating critique, arguing that what his distinguished predecessors took to be a fairly straightforward empirical account of human psychology was, in fact, neither straightforward nor all that empirical. The motivation behind human behavior cannot, according to Sidgwick, be reduced to a simple moral calculus based on the feeling of pleasure; human psychology is far more complex than either Bentham or Mill make it out to be. There are those, for example, who avoid pain at all costs, whereas there are others who choose to endure pain for a period so as to realize some later type of pleasure. The respective psychologies in the two cases are not reducible to a single model of moral motivation. Second, Sidgwick acknowledges that there is no compelling reason to endorse the project of maximizing the greatest happiness for the greatest number on the basis of the individual impulse for maximizing one's own happiness. He distinguishes

between what he calls “egoistic hedonism,” which accords a priority to the pleasure of the individual, and “universalistic hedonism,” in which priority is accorded to the general population (1874:199). The move from the one to the other, Sidgwick says, requires a leap of logic. Although he remained committed to a number of utilitarian social and political reforms, most notably in education, Sidgwick nonetheless arrived at the unhappy conclusion that there could be no impartial justification for the utilitarian model of ethics. Our actions are based ultimately on our moral convictions, or what Sidgwick called our moral “intuitions” (208). Such intuitions, like our pleasures, are themselves irreducible to a single order. No supporting reasons for our moral intuitions could be given on the basis of neutral criteria. They remain, that is, without rational foundation. Sidgwick’s lifelong search for moral order ended with the forlorn conclusion that what he had discovered was in fact moral disorder.

Oddly, it was on the basis of this forlorn conclusion that a later utilitarian, one of the founding fathers of analytic philosophy, claimed to have finally solved all the problems of ethics. In his *Principia Ethica* (1903/1993), G. E. Moore contends that the discovery of moral intuitions signaled the end of a long history of unsuccessful moral theories. The abandonment of what Moore calls the naturalistic fallacy paves the way for an appreciation of our moral intuitions as the final and ultimate court of appeal. Whereas previous moral theories had defined “good” in terms of one or another natural property, Moore argues that “good” is, in fact, a non-natural property and therefore indefinable in natural terms. That which is good is simply that which our moral intuitions tell us is good; that which

is pursued for its own sake and no other. There is no point or value in searching elsewhere, least of all in nature, for a criterion by which to define and measure goodness. In what appears to be a leap of logic, Moore infers that the proper or correct course of action is simply that which yields the greatest good. What, then, are the greatest goods? According to the *Principia*, they are “the pleasures of human intercourse and the enjoyment of beautiful objects” (1903/1993: 237). Although Sidgwick had clearly held the view that moral intuitions are not uniform, Moore seems rather comfortable in attributing to the whole of humanity the moral intuition that the greatest goods are social and aesthetic pursuits.

Needless to say, this kind of argument can hardly be expected to fare very well in MacIntyre’s brief history of Enlightenment moral theory. In fact, in the narrative of *After Virtue*, the arguments of the *Principia* are dismissed with glaring impatience and contempt. Moore’s arguments do not, after all, shed any light on the problem of contemporary moral disagreement. Moore is presented not as having solved anything at all, but rather as having greatly impoverished the academic study of ethics for much of the twentieth century. It was, after all, one of Moore’s own students, C. L. Stevenson, who developed the emotivist theory of ethics, according to which moral assertions communicate no more than mere emotions, desires, commands, and prohibitions. According to the emotivist theory, moral disagreements are not disagreements at all, but rather a clash of competing wills and desires, and therefore insusceptible to rational agreement. The view that morality has no rational content and therefore no place in serious philosophy accounts in part for the decline of interest in the philosophical study of

ethics in the English-speaking world for much of the twentieth century.⁵

MacIntyre's views on the relationship between moral assertions, truth, and rational justification will be presented in Chapter Three. For the moment, however, it is vital to take stock of MacIntyre's historical argument so far, for it is, again, only against the backdrop of that argument that we can appreciate his diagnosis of the state of contemporary public debate.

Moral Discourse in the Aftermath of the Enlightenment

According to MacIntyre, what the history of Enlightenment moral philosophy reveals is that the twin search for a universal morality and a set of ahistorical criteria by which to conduct a neutral and impartial evaluation of rival and competing moral claims was—and could only have been—a failure. As stated earlier, that failure can be explained in the light of the two original moral frameworks in which morality and moral language originally had their home. Divorced from these frameworks, morality ceases to be morality, or is, rather, morphed into something quite other. The history of Enlightenment moral philosophy is therefore a history of one failed attempt after another to provide an

⁵ Stevenson's classic account of emotivism is presented in *Ethics and Language* (1944). There were, however, other advocates of the emotivist theory of ethics. These include C. K. Ogden and I. A. Richards (1923/1989) and A. J. Ayer (1952). The theory of emotivism has been revived in more recent times under the theory of "expressivism". As the term indicates, moral judgments merely "express" personal feelings. There is, however, little that is fundamentally new or different from the earlier version of the theory. Where expressivists depart from their emotivist predecessors concerns the practical implications for moral discourse. Prominent advocates of expressivism include Alan Gibbard (2003) and Simon Blackburn (1993). Whereas Stevenson and Ayer unequivocally reject the possibility of a rational resolution to moral disagreements, Gibbard and Blackburn believe that, in practice, something very like a rational resolution can be achieved, even if there is no actual truth of the matter. Blackburn has called his view quasi-realist: it resembles a realist attitude toward ethics in practice while rejecting realism in theory.

impersonal method for settling moral questions. What, then, is the outcome of that history?

According to MacIntyre, the outcome is an incoherent public discourse about moral and political matters. It is a discourse whose terms are made up of conceptual debris inherited from a wide and incompatible range of moral sources—sources that include, but are by no means limited to, the following: the Bible, Athens, Aquinas, Machiavelli, Locke, Hume, Kant, Bismarck, Clausewitz, Rousseau, Smith, Fichte, Marx, Bentham, Mill, and Thomas Hill Green, among others (1981/1984: 10). As MacIntyre reminds us, “all those various concepts which inform our moral discourse were originally at home in larger totalities of theory and practice in which they enjoyed a role and function supplied by contexts of which they have now been deprived” (ibid). We draw, wittingly and unwittingly, from this incoherent pool of moral concepts each time we think and speak about moral and political questions in the public arena. Some of these concepts no longer function as they once did. The meanings of such moral concepts as “virtue,” “piety,” “justice,” “duty,” and “ought,” for example, have evolved considerably from their original conceptual roles (ibid).

The concept of virtue offers a case in point. To an ancient Athenian, “virtue” denoted a quality or trait instrumental to the fulfillment of some end. In the case of a person, one always sought to embody a set of virtues, never a single virtue or virtue as such. The concept of virtue as such, or virtue to be pursued for its own sake, would have been unintelligible to an ancient Athenian. Yet, it is the concept of virtue for its own sake, as that to be pursued independent

of any conception of a human *telos*, which has come to be the widely accepted understanding of virtue in the modern era. Once we see that virtue as such is yet another empty and failed moral concept, open to arbitrary definition by one or another partisan community, we have no choice but to expose it for what it is, namely, a fiction among moral fictions. It is in this sense, then, that we are beyond—and after—virtue.

If this argument is correct, then we are indeed the heirs to a fragmented and incoherent public conversation, a conversation whose fragmentation and incoherence are dignified by the term “pluralism” (1981/1984: 10). We pride ourselves on the diversity of viewpoints afforded by a liberal order, all the while remaining largely unaware of the profound incoherence of our public conversations. Pluralism, MacIntyre points out, can just as easily denote “an ordered dialogue of intersecting viewpoints” as it can “an unharmonious mélange of ill-assorted fragments” (ibid). We debate matters in the public arena as if there were an obvious terminus to our discussions and disagreements. We advance arguments as though there were some obvious truth to the matter. That our discussions might be fragmented, incoherent, and, for precisely these reasons, going nowhere, seems to have been entirely lost on us, and it is in large part this obliviousness that perpetuates the problem of intractable moral disagreement.

Fragmentation and incoherence, however, are not features merely of public moral language; they are features very much within us. They are a part of our very identities and here, too, we remain, largely if not entirely, oblivious to the fact. As MacIntyre argues in *Whose Justice? Which Rationality?*,

For what many of us are educated into is, not a coherent way of thinking and judging, but one constructed out of an amalgam of social and cultural fragments inherited both from different traditions from which our culture was originally derived...and from different stages in and aspects of the development of modernity...

(1988: 2)

What emerges through these stages of development is a fragmented and incoherent self, a self with “too many half-convictions and too few settled coherent convictions, too many partly formulated alternatives and too few opportunities to evaluate them systematically” (1988: 397). This fragmented self confronts the problem of moral disagreement with “a fundamental incoherence which is too disturbing to be admitted to self-conscious awareness except on the rarest of occasions.” It is a self with “divided moral attitudes expressed in inconsistent moral and political principles” (ibid). It is a self that tolerates different types of moral reasoning in different types of circumstance, and which seamlessly and arbitrarily moves from one moral vocabulary to another, failing all the while to recognize the inconsistency and arbitrariness of such movement.

Three Symptoms of Communicative Deadlock and Breakdown

According to MacIntyre, the problem of moral conflict is evident in three distinct types of speech activity symptomatic of a deadlock and breakdown in moral discourse. The first of these activities is that of affirming one's rights in the face of some opposition. MacIntyre is not here referring to rights formally articulated and protected by an official institution or legal system. Rather, he has in mind “those rights which are alleged to belong to human beings as such and which are cited as a reason for holding that people ought not to be interfered with

in their pursuit of life, liberty, and happiness” (1981/1984: 68-69). These are otherwise known as natural rights or the rights of man, a concept originating in the political works of Thomas Hobbes and John Locke. Natural rights, so the argument goes, exist apart from what is guaranteed by formal institutions and legal systems and do not depend on formal or public recognition for their existence or validity. Their existence long precedes any such recognition and will presumably survive in the event that they are long forgotten. They are the types of rights that had to be discovered and still are being discovered. The catalogue of such rights is always only contingent, for there are an ever-expanding number of such rights due to an ongoing process of discovery, a process motivated by ever-changing circumstances. Thus, whereas Locke could in 1689 identify only three natural rights, namely, those to life, liberty, and property, the United Nations General Assembly was in 1948 able to identify no less than thirty such rights, including “the right to form and to join trade unions” and “the right fully to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.” To this, one could add other categories of natural rights, such as animal rights, environmental rights, and lesbian, gay, bisexual, and transgender rights. More recently, there has been public debate over whether to recognize the right to free internet access and whether human rights ought be extended to apes.⁶ There is now even a movement underway to support the rights of machines possessing artificial intelligence.⁷

⁶ See, for example, Hick, Halpin, and Hoskins (2000) and Cavalieri & Singer (1994).

⁷ See, for example, Benford & Malartre (2007), Hodge (2009) and Brownsword (2009).

MacIntyre reminds us that the modern concept of natural rights had no counterpart in the pre-modern world. In its original conception, a right was guaranteed or secured through local and specific institutional arrangements.⁸ As MacIntyre puts it, “the existence of particular types of social institution or practice is a necessary condition for the notion of a claim to the possession of a right being an intelligible type of human performance” (1981/1984: 67). He notes the obvious historical point that such institutions and practices have not always been a universal feature of human societies. Yet, from Hobbes and Locke to contemporary moral theorists such as Alan Gewirth (1982) and Ronald Dworkin (1978), various catalogues of rights have nonetheless been affirmed in the absence of local and specific institutions. What was formerly understood to be an entitlement for specific persons under a specific agreement or arrangement is now abstracted from all such agreements and arrangements and affirmed for each and every person by virtue simply of being a person.

According to MacIntyre, the very concept of natural rights is one more moral fiction, the most enduring in a long history of such fictions, which lends itself to a variety of not always compatible moral causes. MacIntyre illustrates the fictitious character of natural rights by comparing such rights to their original counterparts. In the absence of an actual formal agreement or institutional

⁸ Although MacIntyre does not mention it, the concept of rights originally denoted ownership. If one were to purchase land, for example, one would thereby possess the right to that land. If one were to lend money, one would thereby possess a right to that money. Possession of a right therefore denoted entitlement through ownership. The concept of a right abstracted out of institutional circumstances in which ownership was essential marks a rather curious evolution in the history of one of the most enduring and influential moral concepts. For a historical account of the rise of the concept of right, see Brett (1997/2003), Tierny (1997), and Hunt (2008).

arrangement, “the making of a claim to a right would be like presenting a check for payment in a social order that lacked the institution of money” (1981/1984: 67). Divorced from an institutional context, it is unclear how the claim to a right can retain any obvious or indisputable moral force. In MacIntyre’s view, “the truth is plain: there are no such rights, and belief in them is one with belief in witches and unicorns” (69).⁹

It has, of course, been claimed that certain rights are inalienable and that this inalienability is itself self-evident. However, just as there are no natural rights, so, too, are there no self-evident truths, and the attempt to justify natural rights—or any moral concept, for that matter—by appeal to self-evidence “is always a sign that something has gone badly wrong with an argument” (1981/1984: 69). Yet, the act of claiming a right has become one of the characteristic moves in contemporary moral debate. It has become commonplace when pursuing one or another course of action or political agenda to invoke the concept of natural rights to facilitate that pursuit. Claims to natural rights are the resort of those who wish preemptively to win a moral argument. There is, after all, a certain rhetorical power in the very appeal to a concept connotative of an impersonal standard. As MacIntyre sees it, however, this false appeal to objectivity and impersonality in a given moral disagreement “conceals the arbitrariness of the will and power at work in its resolution” (71). Such arbitrariness is perhaps most evident in those instances in which claims to

⁹ MacIntyre’s judgment on the status of natural rights might seem somewhat stern, if not downright heartless. It would, however, be unfair to imply from this judgment that he opposes the social conditions that various schemes of human rights seek to establish. He merely dismisses the attempt to justify those conditions by appeal to a false moral concept.

natural rights are countered by rival and incompatible claims to natural rights.¹⁰

Such acts of claiming function as the default move on which to fall back when moral debate fails to make material progress toward one or another desired conclusion. As MacIntyre puts the point in *Three Rival Versions of Moral Enquiry*,

The arrival upon the scene of conceptions of right, attaching to and exercised by individuals, as a fundamental moral quasilegal concept...always signals some measure of loss of or repudiation of some previous social solidarity. Rights are claimed *against* some other person or persons; they are invoked when and insofar as those others appear as threats.

(MacIntyre, 1990: 185)

The appeal to rights against those with whom one is engaged in moral debate is, according to MacIntyre, a sign of conversational breakdown—the inability to persuade by means of rational argument and the need, therefore, to appeal to extra-discursive measures to coerce one's rivals to accept one's moral claims.

The second type of speech activity symptomatic of a deadlock and breakdown in our public conversations is that of public protest. The loss of faith in rational discourse explains the prevalence both of public protest and the attendant feeling of indignation. According to MacIntyre, protest has become one of the principal types of moral utterance in the modern era, and indignation “a predominant modern emotion” (MacIntyre, 1981/1984: 71). Whereas in the pre-modern era, the act of protest could just as easily have served as an act of affirmation as it could an act of negation, protest has since become “almost

¹⁰ A rather lengthy list of such incompatible rights can be found in Dershowitz (2005: 166-168).

entirely that negative phenomenon” of expressing frustration and indignation. As MacIntyre puts it,

The self-assertive shrillness of protest arises because the facts of incommensurability ensure that protestors can never win an *argument*; the indignant self-righteousness of protest arises because protestors can never lose an argument either. Hence the *utterance* of protest is characteristically addressed to those who already *share* the protestors' premises. The effects of incommensurability ensure that protestors rarely have anyone else to talk to but themselves. This is not to say that protest cannot be effective; it is to say that it cannot be *rationally* effective and that its dominant modes of expression give evidence of a certain perhaps unconscious awareness of this.

(1981/1984: 71; emphasis in the original)

Protest can indeed be effective when, for example, directed against an unresponsive government or private corporation. Protest can force such a government or corporation to change or cease a particular policy. Protest can also be effective in raising public awareness about a particular cause and thereby winning allies in an ongoing moral conflict. However, the instinct to protest has also led to the curious phenomenon of ordinary citizens protesting against ordinary citizens. Protest has become *the* form of expression for those who find themselves on the losing side of public opinion and who at that moment become pessimistic about resolving moral disagreements through dialogue and discussion. The widespread culture of protest can, on this view, be seen as a measure of the poverty of our moral discourse.¹¹

The third type of activity symptomatic of a deadlock in contemporary moral discourse is that of unmasking and exposing the supposedly true nature of a

¹¹ Curiously enough, protest is celebrated as an alternative to dialogue by the communication theorist John Durham Peters (2005). More will be said about Peters and his critique of dialogue in Chapter Five.

given moral argument or the morality of a given culture. The activity of unmasking is an attempt to undermine moral authority and credibility by bringing attention to “the unacknowledged motives of arbitrary will and desire which sustain the moral masks of modernity” (1981/1984: 72). For MacIntyre, the paradigmatic figure of this type of activity is Freud, whose theory of unconscious motives has provided generations of cultural critics with a powerful tool for critiquing the morals of modern cultures. Unmasking therefore becomes a technique of persuasion aimed not at those with whom one disagrees, but rather at the larger public as a means of publicly discrediting one’s rivals. MacIntyre has little else to say about unmasking, except to note that he is not entirely dismissive of Freud’s achievements. In fact, he goes so far as to give Freud explicit praise for having discovered that “unmasking arbitrariness in others may always be a defence against uncovering it in ourselves” (ibid). He nonetheless disagrees with Freud’s claim to have discovered something definitive about morality *as such*, as opposed to the particular morals of modern European cultures.¹² On MacIntyre’s view, the generic critique of morality as always and necessarily motivated by unconscious will and desire only contributes to a politics of will and power.

¹² There is a temptation to interpret MacIntyre’s own history of Enlightenment moral philosophy as precisely a case of unmasking various morals and moral theories. Although his historical account does bring explicit attention to the facts of arbitrariness in the moral theories of the Enlightenment, it does so by drawing attention to the falsity of the various theories of justification and impartiality, not by uncovering unconscious will and desire. Interestingly, although the focus of MacIntyre’s mature period has centred on the history and theory of ethics, he did in the early part of his career have an interest in psychoanalysis and even wrote a conceptual account of the unconscious (MacIntyre: 1958/2004).

Beyond Deadlock and Breakdown

Needless to say, an incoherent public conversation conducted by fractured selves featuring symptoms of communication deadlock and breakdown is not, in MacIntyre's view, a cause for celebration. A good part of *After Virtue* is devoted to the development an alternative moral vocabulary adequate to the task of restoring conceptual coherence to public moral debate. MacIntyre in effect does away with Aristotle's metaphysical biology and puts in its place a novel conception of social practice that serves as a starting point for theoretical inquiry into moral validity and a contingent basis on which to work toward moral agreement.

MacIntyre does later align himself with a substantive conception of justice, namely, an Augustinian Christian one. However, he cannot arbitrarily assert the superiority of this conception over rival and above rival such conceptions without descending into intellectual hypocrisy. He is therefore faced with the challenge of upholding a particular model of justice without falling back upon the sorts of theoretical pitfalls that contributed to the downfall of earlier moral theories. As MacIntyre concedes, an Augustinian Christian model of justice is one model among many, each of which, by definition, claims a kind of supremacy. The question, then, is how to decide between these competing models of justice without further compounding the incoherence public moral debate and thereby contributing further to its demise and breakdown.

Two ways of addressing the problem immediately announce themselves. The first is to make yet another claim to universal standards by which to settle

moral questions. This would, in effect, be to continue the moral project of the Enlightenment. The second is to reject the appeal to universal standards and to deny altogether the possibility of settling moral questions neutrally and impartially. This would, in effect, be to succumb to a certain anti-Enlightenment sentiment, the most extreme versions of which culminate in the rejection of truth, logic, reason, and rational justification. Both of these ways of addressing the problem of moral conflict have material consequences for public moral discourse: each in its own way contributes to the further demise of public dialogue and communication. MacIntyre offers extensive remarks about both of these modes of moral enquiry. The following two chapters explore his account and critique of both modes.

CHAPTER TWO

MacIntyre Against Objectivism

We are like sailors who must reconstruct their ship on the open sea but are never able to start afresh from the bottom. Where a beam is taken away a new one must at once be put there, and for this the rest of the ship is used as support. In this way, by using old beams and driftwood, the ship can be shaped entirely anew, but only by gradual reconstruction.

OTTO NEURATH, *ANTI-SPENGLER* (1921)¹³

Introduction

In his book *Beyond Objectivism and Relativism* (1983), the pragmatist philosopher Richard Bernstein contends that much of modern intellectual life has become strained by the tension between two diametrically opposed tendencies he calls objectivism and relativism. These are not so much technical terms as they are general labels designed to encompass broad intellectual currents or sentiments prevalent within both the realm of formal academic inquiry and that of everyday life. They are known also by other readily familiar oppositional terms: objectivism and subjectivism, realism and antirealism, realism and constructivism, and so forth. According to Bernstein, objectivism can best be described as “the basic conviction that there is or must be some permanent, ahistorical matrix or framework to which we can ultimately appeal in determining the nature of rationality, knowledge, truth, reality, goodness, or rightness” (Bernstein, 1983: 8). Relativism, by contrast, is the rival conviction that these central philosophical categories are, in the end, “relative to a specific conceptual

¹³ The quote is a translation by Cartright et al. (1996: 139).

scheme, theoretical framework, paradigm, form of life, society, or culture” (Bernstein, 1983: 8).

As Bernstein rightly observes, those who uphold an objectivist point of view insist that the primary role of philosophy is to identify and make explicit this timeless and ahistorical framework for practical use in both the realm of formal inquiry and that of everyday life. Without such a framework, we would presumably be left defenceless against the debilitating claims of radical skepticism. In contrast, those who uphold a relativist point of view insist that any claim to have identified *the* standards of truth and rationality as such can be no more than an attempt to impose the standards of one or another partisan group or culture by claiming for those standards a status of timelessness and universality they could not possibly possess. Such attempts are imperialist, tyrannical, and ethnocentric. The role of philosopher and non-philosopher alike is therefore to question and challenge such attempts by exposing their historical and cultural particularity.

As Bernstein observes, the tension between these opposing points of view extends as far back as the controversy between Plato and the Sophists. That controversy has survived in one form or another well into the present day. In the modern era, it has given rise to what Bernstein calls the Cartesian anxiety, the “specter that hovers in the background” of any attempt to affirm the truth of a given claim. It is “the dread of madness and chaos where nothing is fixed, where we can neither touch bottom nor support ourselves on the surface” (Bernstein, 1983: 18). It is the pre-reflective instinct that we are faced with an ultimate and

inescapable Either/Or: “*Either* there is some support for our being, a fixed foundation for our knowledge, *or* we cannot escape the forces of darkness that envelop us with madness, with intellectual and moral chaos” (Bernstein, 1983: 18). Although the Cartesian anxiety expresses the sort of dichotomy that many of us would very much like to do without, it continues to haunt our present-day inquiries, tempting us to take one side or another in the heat of intellectual controversy and disagreement.

According to Bernstein’s reading of our current intellectual zeitgeist, there is a general, if implicit, cultural awareness of the need to move beyond the twin extremes of objectivism and relativism. Bernstein interprets phenomenology, hermeneutics, and pragmatism as various philosophical articulations of this general awareness. Each signals a movement toward something like an alternative or middle ground. What might that alternative or middle ground look like? Bernstein does not provide a black and white answer to this question, suggesting that the very need for a black and white answer is part of the problem. What he does tell us, however, is that the movement beyond objectivism and relativism leads us to something indeterminate, contingent, and open-ended. On his reading, the themes that emerge from this movement are those of dialogue, debate, conversation, and communication.

The narrative of moving beyond objectivism and relativism provides a fitting context in which to discuss Alasdair MacIntyre’s critiques of moral theory in the modern era. For MacIntyre, too, is acutely aware of the Cartesian anxiety and therefore takes care to avoid falling back upon either side of the objectivist-

relativist divide. Even a cursory reading of *After Virtue* makes it abundantly clear that MacIntyre is no friend of the objectivism characteristic of the Enlightenment. However, in subsequent books, he makes it equally clear that he does not endorse the more extreme versions of the relativist thesis, those which culminate in the rejection of truth and rational debate. Where, then, does he stand? The aim of this chapter and the next is to flesh out his arguments against objectivist and relativist approaches to ethics. Both approaches, it will be shown, are monological modes of enquiry that effectively do away with a place for communication, dialogue, and rational debate. Indeed, it will be shown that MacIntyre's rejection of objectivism and relativism in moral theory underwrites a program for communication and dialogue between the adherents of rival and competing systems of belief.

Two Types of Moral Objectivism

There are different ways to conceptualize the approach to ethics that might be termed moral or ethical objectivism. Bernstein offers at most a basic idea of what that approach entails; it is by no means exhaustive. Advocates of objectivism in moral theory can be divided into two camps: religious and secular. The rise of secular moral theories in the modern era can hardly be said to have extinguished the prevalence and appeal of religious ethics. One might argue, in fact, that the dominance of secular moral theories has breathed new life into religious ethics, prompting a more or less concerted effort by religious intellectuals to answer one of the central challenges of modernity, namely,

demonstrating the existence of a universal system of morals. Thus, religious moral theories now compete in the public realm with their secular counterparts for the public's allegiance, a competition made possible in large part by the demise of religious power and authority in the modern era.

Divine Command Theory

There are more and less sophisticated expressions of the objectivist impulse in religious ethics. The simplest such expression holds something to the effect that, without God, there would be no morality. This is the most direct expression of that primordial concern of which the Cartesian anxiety is a mere secular counterpart. This type of argument has been among the most common objections expressed by people of faith to that newfangled genre of polemical literature that might be termed pop atheism.¹⁴

In its more sophisticated guise, the objectivist impulse in religious ethics assumes the form of what has come to be called the divine command theory of ethics. Advocates of the divine command theory hold that true moral claims are expressions of divine commandments; that right and wrong have no independent meaning or value, but are, rather, determined by the will and authority of God. There is, according to this view, a universal moral law, one that stands above the contingencies and particularities of time, place, language, culture, and circumstance, and which provides the universe with a concrete moral structure.

¹⁴ This literature includes Dawkins (2006), Hitchens, (2007); Harris, (2004); Dennett, (2007); and Stenger, (2007). There have been a number of public debates aimed at promoting such books, debates that have typically featured priests, pastors, rabbis, and imams who invariably contend that, without God, we would neither know how to act in the right way nor have any incentive to so act.

Divine command theory has a long and diverse history. It was a standard view in ancient Athens, for example, as attested to by Plato's critique of divine commend ethics in the *Euthyphro*.¹⁵ Divine command theory historically found strong support among several notable early and medieval Christian thinkers, including Augustine, Ambrose, Anselm, Duns Scotus, Isidore of Seville, and William of Ockham. During the Reformation, it received support from Luther and Calvin. In the twentieth century, it received support from such leading Protestant theologians as Karl Barth and Emil Brunner. In the present day, divine command ethics remains popular among Evangelical Christians. There has also been an attempt to revive divine command ethics in the domain of analytic philosophy. Notable figures in this project include Robert Merrihew Adams, Richard Mouw, and Philip Quinn.¹⁶ Finally, it should be noted that divine command ethics has historically been endorsed in much of Jewish and Islamic thought.¹⁷

Advocates of divine command ethics differ on the capacity of human beings to discover the moral law through the use of reason unaided by divine revelation. Divine command theorists typically hold the view that revelation is necessary to acquire knowledge of the commandments of God. However, C. S. Lewis, arguably the most influential proponent of the divine command theory in

¹⁵ The gist of that critique can be summarized as follows: is something good because the gods command it or do the gods command something because it is good? If the former, then what is good is independent of the gods, in which case the gods are not omnipotent. If the latter, then what is good is the result of mere whim; if the gods had decreed genocide, then genocide would be good.

¹⁶ For a good overview of divine command ethics and its history, see Idziak (1980). See also Adams (1973), Mouw (1990), and Quinn (1978, 1990).

¹⁷ For a detailed overview of the place of divine command ethics in Jewish thought, see Harris (2003). For a first account of the place of divine command ethics in orthodox Islamic theology, see Jackson (1996).

the twentieth century, held that all human beings are endowed with a set of moral instincts that enable them, as it were, to hear or read the moral law. These instincts provide the cognitive apparatus through which the moral law is expressed. As Lewis descriptively puts it in *Mere Christianity*, “The Moral Law tells us the tune we have to play: our instincts are merely the keys” (1952/1980: 10). That our instincts tell us that there is a moral law is, according to Lewis, evidence that there is indeed a moral law. If there is a moral law, then we are compelled to inquire into the source and content of that law. This line of reasoning famously led Lewis to the conclusion that there must be a divine lawgiver—doubtless an appealing argument for people of faith in a secular world.

Endorsement of divine command ethics has material consequences for dialogue and communication about moral and political questions. If we do indeed have access to a divine moral law, then appeal to such a law would, in principle, effectively settle moral disagreements. There would be no need for rival parties to resolve their differences through communication and dialogue. A process of monological abstraction by those sufficiently competent to know the mind and will of this or that god would be sufficient to arrive at final and authoritative moral judgments on a potentially infinite range of moral questions. Public dialogue and debate would effectively come to an end.

Secular Moral Theory

In contrast to divine command theory, secular moral theories are motivated by the search for standards and criteria adequate to the task of guiding

human conduct independently of the commandments of a divine lawgiver.

Certain of these theories were briefly discussed in Chapter One in the context of MacIntyre's critique of the Enlightenment project of moral justification.

Objectivism in secular moral theories can be divided into two general types.

There are, in the first instance, those theories that turn to one or another account of human nature on which to ground a model of justice. There are, secondly, those theories that base their model of justice on one or another ideal model of rationality. The two types of moral theory do not underwrite a project of an explicit and comprehensive system of laws so much as they do that of a universal method adequate to the task of settling moral questions as they arise in new and unprecedented circumstances.

The moral theories of Hobbes and Rousseau are paradigmatic examples of the first type. In the *Leviathan*, for example, Hobbes makes one authoritative pronouncement after another about human nature, pronouncements which then serve as a foundation for the formulation of substantive moral principles. Hobbes justifies the principle of equality, for example, by arguing as follows:

Nature hath made men so equal, in the faculties of the body and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another, yet when all is reckoned together, the difference between man and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of the body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself.

(Hobbes, 1996: 82)

Although Hobbes does later identify in human nature "three principal causes of quarrel" that ultimately render "the life of man...solitary, poor, nasty, brutish, and

short” (Hobbes, 1996: 84), it is nonetheless out of his account of human nature that Hobbes is able to formulate a theory of justice designed to give free reign to those desires and passions that “incline men to peace” and curtail those that lead to war. To this end, Hobbes invokes the authority of reason, which “suggesteth convenient articles of peace, upon which men may be drawn to agreement” (86). His conception of reason, however, plays a role secondary to that played by his conception of human nature.

When Rousseau conversely asks that we “not conclude with Hobbes that man is naturally wicked because he has no idea of goodness or vice-ridden because he has no knowledge of virtue,” he makes it clear that his disagreement with Hobbes concerns the facts about human nature. Indeed, Rousseau insists upon “making a *true* judgment of man’s natural state” (1992: 71-72 emphasis added), implying that what is at stake in the theory of justice is the accuracy of our claims concerning natural human desires and passions. Rousseau, too, affirms substantive moral principles, including “that sublime maxim of rational justice” otherwise known as the Golden Rule. However, whereas Hobbes formulates the principles of justice to thwart the destructive tendencies of human nature, Rousseau grounds his own such principles in what he takes to be the basically positive and socially cooperative nature of all people. Rousseau justifies “the sublime maxim” by appealing not to the instinct for self-preservation, but rather to that of pity, “a fitting predisposition for creatures as weak and subject to as many ills as we, a virtue all the more universal and useful to man because it precedes any kind of reflection in him” (73). Indeed, the feeling of pity

is so universal that “even the beasts themselves sometimes show discernible signs of it” (1992: 75-76).

Regardless of the merits of their respective arguments, it is clear that both Hobbes and Rousseau see the strength and validity of their rival theories of justice in the accuracy of their rival theories of human nature. The objectivist impulse is expressed in their mutual attempt to secure a final and authoritative account of the primary feelings, attitudes, impulses, and instincts allegedly embodied by all people in all times and all places. What Hobbes and Rousseau represent is, again, a paradigm of moral inquiry. It is a paradigm shared by those figures of the Scottish Enlightenment—Anthony Ashley Cooper, Francis Hutcheson, David Hume, and Adam Smith—who similarly base their moral theories on an account of human nature, albeit an account that posits a universal moral sense. It is a paradigm shared also by those British Utilitarians—Jeremy Bentham, John Stuart Mill, and G. E. Moore—who ground their utilitarianism in one or another conception of human happiness. According to this general paradigm, accuracy in the account of human nature is the key to settling moral questions. This type of empirical accuracy effectively leaves no need or room for settling such questions through practices of communication and dialogue.¹⁸

¹⁸ Although we might be tempted to dismiss the appeal to human nature as badly outmoded, appeals of this type nonetheless remain very much alive and well in the present day. The view that human nature can shed light on the nature of morality has a strong and growing place in the cognitive sciences. The pioneering work of Noam Chomsky has played a large role in reviving an interest in the theory of human nature. Chomsky’s argument in favour of a language faculty has laid the groundwork for arguments in favour of a moral faculty. Among the most prominent names in this line of research are Steven Pinker (2003), Marc Hauser (2006), and John Mikhail (2007). Although Pinker, Hauser, and Mikhail do not go so far as to advocate revising modern political systems in the light of their accounts of human nature, they do suggest that such accounts hold the theoretical power to settle moral questions.

The second type of moral theory through which the objectivist impulse is expressed is that which attempts to derive moral judgments from one or another model of rationality. Moral theorists working in this paradigm hold that moral disagreements can in principle be settled by appeal to an ideal model of rationality, construed as the proper or correct form of thought and reasoning about matters ethical. The appeal to an ideal model of rationality provides a standard or criterion of demarcation by which to distinguish purportedly rational persons from purportedly irrational persons. On this view, rational persons are those who conform to the ideal model of rationality and therefore converge upon a common set of moral judgments that necessarily follow from that model. Irrational persons are those who fail to conform to that model and who therefore depart or deviate from the set of judgments that necessarily follow from it. More or less explicit in this type of theory is the contention that there is a single, unitary, and universal rationality, one that applies to all people in all times and all places. All attempts at moral reasoning either conform to or deviate from this model.

The paradigm for this type of moral theory is the thought of Immanuel Kant, key elements of which were discussed in the previous chapter. Its latter-day heirs include such influential moral theorists as John Rawls (1971, 1993), Thomas Nagel (1986), Kurt Baier (1966), Bernard Gert (1966, 1988, 1998, 2004), and Alan Donagan (1979). Donagan summarizes the view shared by advocates of this type of theory as follows:

[P]ractical reason requires that every rational creature act on principles on which any rational creature would choose to act if subject to certain

conditions. The ground of this assumption is that...it is sufficiently evident that reason also requires the observance of such other prescriptions as would be laid down by any rational creature under certain ideal conditions. And it is held to be possible for us to calculate what those prescriptions would be.

(Donagan, 1979: 215)

Donagan's use of the term "calculate" is significant. It implies that rational persons can arrive at valid judgments or prescriptions through a process of abstract reasoning in social isolation. Provided one has sufficiently mastered the principles of rationality, one could in principle follow an algorithm to arrive at valid moral judgments—judgments at which any other reasoning agent would similarly arrive provided he or she has similarly mastered the same set of principles. Following this model, one need not attempt to make a persuasive case through dialogue for the truth or validity of one's moral claim; one need only show the formal proofs that logically yield a true or valid judgment.

This type of moral theory is motivated by the ideals of universality and impartiality. It is a project that seeks to avoid the threat of bias and whim by urging us to abstract ourselves out of our personal circumstances so as to achieve a neutral and impartial point of view from which to arrive at the kinds of moral judgments that would apply to everyone everywhere equally. Donagan describes the ideal models of reasoning agents envisioned by this type of theory as "universal prescribers," "ideal observers," and "rational contractors" (Donagan, 1979: 215). It is a project epitomized by Kant's concept of the categorical imperative, by Rawls' concept of the original position, by Baier's concept of the moral point of view, and by Nagel's concept of the view from nowhere. It is what Hans-Georg Gadamer has negatively termed the "standpoint beyond any

standpoint” (1989: 376) and what Hilary Putnam has termed, also negatively, the “God’s eye point of view” (1981: 49). It is a privileged perspective from which to make final, authoritative, and impartial judgments. This perspective is, again, open in principle to all rational persons.

An example is in order. In his highly influential book, *A Theory of Justice* (1971), Rawls presents a model of justice based on the principles of fairness and equality. He departs from earlier models of justice variously developed by Hume, Smith, Bentham, and Mill to defend a deontological model in the Kantian tradition. This deontological model affirms a broad set of inviolable universal rights for all citizens and accords a priority to those rights over substantive conceptions of the good. Such conceptions, what Rawls later came to call “comprehensive doctrines,” provide individuals and communities with a systematic guide to living a moral life. Religions are well known for providing such guides to life; Judaism, Christianity, and Islam are a few notable such examples. In addition, Rawls includes nonreligious systems of ethics, such as those based on philosophical traditions, in the category of comprehensive doctrines. The deontological model remains neutral in the face of rival and competing comprehensive doctrines, whether religious or non-religious. In the event that a comprehensive doctrine clashes with the rights of the individual, however, the deontological model accords a priority to the latter. Hence, the oft-repeated Rawlsian principle of the priority of the right over the good.

Rawls’ theory of justice does not merely affirm a catalogue of inviolable rights, however. It also provides a positive basis for the impartial adjudication of

rival and competing moral claims. To this end, Rawls suggests the concept of an “original position” as a basis of adjudication. The original position is designed to be a neutral point of view, one sufficiently divested of subjectivity and particularity so as to “nullify the effects of specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage” (Rawls, 1971: 136). To achieve this neutral point of view, Rawls proposes a thought experiment involving a conceptual tool he terms “the veil of ignorance”. We are to reason, the argument goes, from an imaginary standpoint from which we are ignorant of “certain kinds of particular facts” (Rawls, 1971: 137), such as the ethnicity, gender, class, culture, and religion of those involved in moral disagreement. In short, we are to reason without any knowledge of what makes us different from one another. The only knowledge we have available to us is a knowledge of the general principles of justice. According to Rawls, reasoning from behind the veil of ignorance amounts to reasoning from a common basis of agreement. As he puts it, “since the differences among the parties are unknown to them, and everyone is equally rational and similarly situated, each is convinced by the same arguments” (Rawls, 1971: 139).

Rawls likens the original position to that which would be assumed by a neutral referee arbitrating between rival parties engaged in communication. As he puts it,

We can view the choice in the original position from the standpoint of one person selected at random. If anyone after due reflection prefers a conception of justice to another, then they all do, and a unanimous agreement can be reached. We can, to make the circumstances more vivid, *imagine that the parties are required to communicate with each other through a referee as intermediary*, and that he is to announce which

alternatives have been suggested and the reasons offered in their support. He forbids the attempt to form coalitions, and he informs the parties when they have come to an understanding. *But such a referee is actually superfluous, assuming that the deliberations of the parties must be similar.* (Rawls, 1971: 139; emphasis added)

The superfluity of an actual referee implies the superfluity of communication itself. The veil of ignorance does not require actual practices of communication and dialogue. Reasoning through the veil is, as Rawls makes clear, a monological activity through and through.¹⁹

The point of this example is merely to demonstrate that moral theories that appeal to one or another ideal and determinate model of rationality entail a type of reasoning through which all supposedly rational persons can arrive at a single set of moral judgments. The very appeal to the category of rational persons implies some minimal basis of commonality. Invoking that basis amounts to invoking a universal premise, the type of premise that sets in advance the parameters of rational discussion and inquiry and which necessarily precludes the possibility of basic or fundamental disagreement. It is precisely in this act of preclusion that a certain tension arises between the appeal to ideal models of

¹⁹ Rawls later offered a partly revised account of his liberal theory in response to a broad range of criticisms. In Rawls (1993), he introduces the concept of public reason to address objections concerning the original position. In particular, he acknowledges that modern democracies are now characterized by "a diversity of opposing and irreconcilable religious, philosophical, and moral doctrines" (1993: 3–4), not all of which can be dismissed as unreasonable. In a free and open society, it is inevitable that reasonable people will arrive at different and incompatible comprehensive doctrines; hence, Rawls' acceptance of what he calls "reasonable pluralism." The challenge, however, is to secure the "grounds of toleration . . . [that will sustain] a just and stable society of free and equal citizens" (ibid). Again, Rawls insists upon a neutral method of adjudication between rival and competing comprehensive doctrines. In the revised version, however, he offers a model of public discourse and communication based on the concept of public reason. This concept of public reason, however, has nonetheless come under fire for being unfairly restrictive and incompatible with the spirit of free and open dialogue. This suggests a fundamental tension between the deontological model and public practices of dialogue and persuasion. For a good overview of this problem, see Stout (2004: 63-91) and Yates (2007).

rationality and practices of communication and dialogue. As will be shown later, however, a similar tension arises from the generic endorsement of the relativist thesis.

MacIntyre on Divine Command Theory

Although the later MacIntyre is an open and unabashed theist, very few of his writings are concerned with the divine command theory of ethics. In fact, there are only two works in which he deals with the matter in explicit detail. In *A Short History of Ethics* (1998), MacIntyre outlines certain key difficulties confronting the divine command theory. As he observes, the divine command theorist might assert that we ought to do that which God commands. One might rightly inquire into why anyone ought to do what God commands. To this, the divine command theorist is likely to offer three types of response.

The first type of response concerns God's status. The divine command theorist might simply assert that God is worthy of our obedience by virtue of being God. To make this kind of argument, however, is, as MacIntyre puts it, to "remain within the closed circle of religious concepts" (112). It is the kind of dogmatic and self-referential answer conspicuously lacking in moral and practical force for those who do not already subscribe to the relevant circle of religious concepts and who therefore do not endorse the belief that this or that god is worthy of obedience. As to why anyone should believe that God is worthy of obedience, the divine command theorist might, as MacIntyre notes, appeal to God's infinite knowledge and power. The divine command theorist is apt to

contend that between rival objects of obedience, the object possessing greater knowledge and power is more worthy of our obedience. Following this logic, the object possessing infinite knowledge and power is most worthy of our obedience. In Macintyre's view, however, there is a fundamental incoherence in the appeal to an infinite nature, for this type of appeal remains in the realm of pure abstraction and therefore disconnected from that of practice and particularity. Purely abstract arguments are neither provable nor disprovable and therefore invite rejection by those who do not share the premises of the divine command theorist.

The second type of response concerns God's goodness. The divine command theorist might alternatively contend that God is good and therefore ought to be obeyed. The divine command theorist is here faced with the challenge of defining "good" in such a way as to avoid vicious circularity. The argument that one ought to obey God because God is good and that what is good is that which God commands us to obey is precisely the type of vacuous reasoning that threatens to undermine the validity of divine command theory. The belief that God is good requires "access to criteria of goodness" independent of any beliefs about God (1966/1998: 72). Such access, however, presupposes an independent ability to formulate judgments of good and evil, thereby putting in question the very point of divine commandments.

The third type of response concerns, again, God's power. To the question of why one should feel obligated to obey the commandments of God, the divine command theorist might contend that God is all-powerful and that failure to obey

God will result in one's being condemned to hell. MacIntyre raises an obvious objection to this type of argument, namely, that it provides a "corrupting, because totally self-interested, motive for pursuing the good" (113). Insofar as the point of divine command ethics is to provide a universal system of morals by which to curb and critique arbitrary and self-serving interest, that point is undermined by encouraging obedience to divine commandments precisely by appeal to self-interest. According to MacIntyre, this kind of appeal "at best belongs to the class of desperate remedies for morality in impoverished and disordered societies," such as those characterized by disease, famine, and early death (114).

MacIntyre observes that not every Christian moral theory conforms to the divine command theory of ethics. The Aristotelian moral theory of Thomas Aquinas, for example, is quite unlike the divine command theory of William of Ockham. Although both are nominally Christian theories, the former is predicated upon a pre-theological conception of rationality, open in principle to evaluation and rejection by the non-Christian, whereas the latter conceives of divine commandments as "arbitrary edicts which demand a nonrational obedience" (119). MacIntyre in fact goes so far as to contend that a Thomist ethics "exhibits more of a kinship with certain kinds of secular rationalism than with certain kinds of Christian irrationalism" (120). He thereby implies that the terms of moral dialogue and debate must not be defined by one or another system of religious beliefs. As he puts it, "If religion is to propound a set of rules or a set of goals successfully, it must do so by showing that to live in the light of such rules and goals will be productive of what men can *independently* judge to

be good” (114; emphasis added). Any religious systems of morals must therefore contend with secular systems for the public’s allegiance; there is no exemption from the demands for public justification. MacIntyre is therefore able to distinguish between objectivist and non-objectivist religious moral theories. The former are fundamentally incompatible with the dialogical practice of public reasoning and justification; the latter are not.

In a later essay, provocatively titled, “Which God Ought We to Obey and Why?” (1986), MacIntyre even more forcefully and explicitly rejects the divine command theory of ethics. The principal motivation for this rejection stems from the pre-theological commitment to rational arguments that must, by necessity, precede the decision—if it is to be a rational decision—to endorse one or another of the rival and competing conceptions of divine commandments. The multiplicity of gods and the multiplicity of commandments competing for our allegiance raises the question of which god and which commandments we ought to endorse and why. A rational such decision presupposes standards and criteria independent of the systems of belief competing for our allegiance. We require some prior conception of moral concepts such as “good,” “bad,” “right,” and “wrong,” not to mention practical criteria of evaluation by which to level judgments that employ these basic moral concepts. Without such concepts and criteria, we would lack specifically moral reasons to endorse this or that god or this or that divine commandment.²⁰ MacIntyre moreover makes it clear that the appeal to fear is a disastrous justification for any religious system of morals.

²⁰ For more on this point, see D’Andrea (2006: 158).

Although a superficial reading of this essay might lead the uncritical reader to associate MacIntyre with religious dogmatism, a more careful reading makes it abundantly clear that MacIntyre, in fact, explicitly rejects religious dogmatism. Indeed, he is unambiguous in his denunciation of the fideism required by the divine command theory of ethics and this denunciation is itself based on what he takes to be fideism's disastrous moral implications. MacIntyre leaves no doubt concerning the priority he accords to rational arguments, a priority that implies the type of dialogue and exchange by which arguments in favour of one or another distinctly religious system of morals is open to the possibility of rational vindication and defeat.

MacIntyre on Secular Moral Theory

MacIntyre's critique of objectivism in secular moral theories takes a different form. This has, of course, to do with the very different nature of such theories, as they do not presuppose the authority of a divine command-giver. Much of the substance of that critique was discussed in the previous chapter and will therefore only be summarized here. There are, however, additional parts of that critique that will be reviewed in detail below.

The term that MacIntyre assigns to the objectivism characteristic of Enlightenment—and, in certain instances, post-Enlightenment—moral theory is *encyclopaedia*. In MacIntyre's scheme of classification, *encyclopaedia* represents much more than that distinct genre of authoritative writing aimed at supplying the literate public with a comprehensive compendium of knowledge—a

compendium that, with each new edition, features a massive and growing number of contributions by some of the most renowned authorities of the day. For MacIntyre, encyclopaedia additionally represents a distinct type of thought and expression about ethics, or what he terms the encyclopaedic mode of moral enquiry. It is a type of thought and expression exemplified by the famed Ninth Edition of the *Encyclopedia Britannica*, celebrated in its day for its unprecedentedly rigorous standards and methods. For MacIntyre, the Ninth Edition is the crystalline expression of the spirit of the Enlightenment. It is a spirit of impersonality and objectivity, in which the truth of a given matter can, in principle, be articulated in pure and unadulterated form. Regardless of the subject at hand—physics, history, theology, ethics, or whatever—the form of expression by which such truth is articulated is, in each and every instance, one and the same: the idiom of authoritative and impersonal pronouncement. That which runs counter to such pronouncement disqualifies itself as a candidate for serious knowledge.

According to MacIntyre, what made the Ninth Edition so representative of the spirit of the Enlightenment was its avowedly unitary conception of knowledge. That conception was modeled after the natural sciences, which were differentiated by their respective objects of enquiry only; their methods were taken to be invariable and, therefore, seen as the source of their general unity. According to the Ninth Edition's architectonic system, the subject matter of ethics was to be examined by the very same principles as those of such of the natural scientific disciplines as physics, biology, and astronomy. By means of a standard

method of enquiry, those possessing the requisite training in the relevant disciplines could in principle deduce the universal laws of their subject matter. Just as one could, therefore, deduce by this unitary method the laws of physics, biology, and astronomy, so, too, could one deduce by that same method the laws of history, theology, and ethics. The encyclopaedic mode of moral enquiry was therefore aimed in part at settling questions about ethics through formal methods of investigation, methods that did not require rational discourse with those to whom the pronouncements of the encyclopaedist applied.

There was, however, another salient characteristic of the Ninth Edition. Its editors and contributors envisioned their project as an episode in the history of intellectual enquiry. That history was taken to be one of rational and inevitable progress, of which the Ninth Edition was the grand culmination—the most authoritative account of knowledge thus far. Each entry represented the latest statement about its subject matter, and for each subject matter there was a distinct history of rational and inevitable progress, the flow and continuity of which was interrupted only by random and anomalous impediments in the course of its history. That history was otherwise taken to be one of relative seamlessness and coherence.

The view that intellectual history can and ought to be seen as a coherent movement of continuity and rational progress is, as MacIntyre reminds us, not the only, or even the dominant, view of our intellectual past. There is an alternative interpretation, one developed in the middle decades of the twentieth century by that diverse group of intellectual historians in whose work the themes

of discontinuity and rupture are paramount. MacIntyre refers in particular to the work of Gaston Bachelard and Thomas Kuhn in the history of science, Karl Polanyi in the history of modern states and economies, and Michel Foucault in the history of the human sciences. According to MacIntyre, a similar reading of the history of moral philosophy in the modern era would likewise reveal the themes of discontinuity and rupture, and perhaps more glaringly so. So that if one were to examine the history of moral philosophy, as MacIntyre briefly does in *After Virtue*, one would discover that what was from the outset a project explicitly aimed at securing public agreement and consensus about matters moral and political turns out instead to have been a project whose history is one of undeniable disagreement and conflict.

One way—in fact, the principal way—in which MacIntyre critiques the objectivist tendency of secular moral theories is to situate such theories within a broader historical context and then to read that history as one of competition and failure. The fact of competition is, MacIntyre suggests, evidence precisely of such failure. Insofar as each of the moral theories of the Enlightenment sought to secure general agreement and consensus by virtue of its claim to a timelessness and universality explicitly denied to its rivals, the presence and persistence of rival moral theories predicated of an identical claim to timelessness and universality serves as an index of disagreement and dissensus, of just how badly each such theory has thus far fared in the competition for the public's allegiance. The history of moral philosophy is therefore not one of rational progress, as argued by Henry Sidgwick in his entry

on “Ethics” in the Ninth Edition, but rather of one of protracted and expansive division and disagreement. That division and disagreement continues well into the present day.

According to MacIntyre, between those who defend one or another model of justice before the public realm, there is no evidence whatever of a movement toward a shared understanding of what justice in fact entails:

Universalizability theorists, utilitarians, existentialists, contractarians, those who assert the possibility of deriving morality from rational self-interest and those who deny it, those who uphold the overriding character of an impersonal standpoint and those who insist upon the prerogatives of the self, disagree not only with each other but among themselves, and the certitude of those who maintain each point of view is matched only by their inability to produce rational arguments capable of securing agreement from their adversaries.

(1991: 189)

When MacIntyre asserts that moral theorists “disagree not only with each other but among themselves,” he refers to disagreement not just between the advocates of distinct traditions of moral theory, but also that between the advocates of one and the same moral theory. So that it is not only, for example, that Kantians and utilitarians disagree with one another on matters of ethics and justice, but also that Kantians disagree with Kantians about what follows in matters of ethics and justice from the commitments explicit in their own theoretical tradition.

MacIntyre mentions by way of example the deep divisions between Rawls, Donagan, Gert, Alan Gewirth, and Robert Nozick—all heirs to a broadly Kantian tradition of moral and political thought (cf. 1984: 21). Each of these theorists appeals to a distinct model of rationality from which to derive the principles of

ethics and justice, a model on which all rational persons would, in principle, agree. Yet, they disagree not only in their conceptions of ethics and justice, but also in their respective conceptions of rationality. Rawls, for example, appeals to an ideal model of rationality to justify a social welfare state. Nozick, by contrast, appeals to a rival such model to justify of a libertarian state. Both present thought experiments in defense of their respective conceptions of rationality: the original position in the case of Rawls and the experience machine in the case of Nozick. Both claim to be heirs to the model of ethical theory established by Kant. Yet, both differ on what rational persons would rationally choose. Both therefore differ—sharply—in their respective conceptions of ethics and justice.

MacIntyre raises the damaging observation of division and conflict between those moral theorists who justify their conceptions of ethics and justice by appeal to an ideal model of rationality and what all rational persons would supposedly affirm by similarly appealing. In one of the most memorable passages of *After Virtue*, MacIntyre presents a rather plain, yet trenchant and unavoidable criticism of those who appeal to an ideal model of rationality. As he puts it,

...it is very much to the point that such writers cannot agree among themselves either on what the character of moral rationality is or on the substance of the morality which is to be founded on that rationality. The diversity of contemporary moral debate and its interminability are indeed mirrored in the controversies of analytical moral philosophers. But if those who claim to be able to formulate the principles on which rational moral agents ought to agree cannot secure agreement on the formulation of those principles from their colleagues who share their basic philosophical

purpose and method, there is once again *prima facie* evidence that their project has failed, even before we have examined their particular contentions and conclusions. Each of them in his criticism offers testimony to the failure of his colleague's constructions.

(MacIntyre, 1981: 21)

Evidence of disagreement between the advocates of a common “philosophical purpose and method” is the primary means by which MacIntyre evaluates the promise of each such method. If those who, for example, base their model of justice on an empirical account of human nature cannot agree on what human nature entails and, therefore, on the model of justice that follows from that account, then we have every reason to believe that their project is, in some fundamental way, deficient. MacIntyre identifies precisely this difficulty in the work of those members of the Scottish Enlightenment who upheld the theory of the moral sense, but who were unable to answer in any convincing way the problem of diversity in morals across cultures (1988: 260-280).

The same criticism applies to those who contend that each and every person is bound by natural laws or natural rights. MacIntyre invites those who so contend to produce a list of such laws or rights. As he puts it, “It is notorious that adherents of such theories offer lists which differ in substance from each other” (1998: 233). The conclusion that emerges is therefore clear: if the claims of universalist moral theories—whether those that appeal to a theory of human nature or those that appeal to a theory of rationality—are to be taken seriously, then those who advance such theories are left with the obvious problem of how to account for their disagreements with fellow theorists who proceed from within the same type of moral theory.

To trace the history of moral philosophy up to the present moment, then, is to uncover a pattern of wide and growing division in theoretical standpoints and material commitments. Academic moral philosophy has succeeded in providing each of the rival and competing moral theories with “greater clarity, greater fluency, and a wider range of arguments,” but “apparently little more than this” (1988: 3). The effect of the systematic development of each standpoint has been to solidify and further entrench disagreement with rival standpoints, thereby providing precisely the sort of *prima facie* evidence of the failure of each such standpoint to secure a rational consensus from the public.

A second way in which MacIntyre critiques the objectivist tendency of secular moral theories is to examine the encyclopaedist ideal—an ideal that persists to this very day—of treating the concepts of ethics in abstraction from the social and historical circumstances out of which such concepts initially arise. Much of the substance of this critique was reviewed in Chapter One. The significance of this critique is that it accounts not only for the inability of Enlightenment moral theory to secure its own explicit goal of rational consensus on matters of ethics and justice, but the inability also of such theories to account for the differences in morals across cultures. MacIntyre’s principal contention here concerns the modern division of thought and practice into separate and distinct spheres or domains of enquiry, a division exemplified by the Ninth Edition and by the culture of the Enlightenment generally.

According to this “scheme of rigid compartmentalization of life,” morality is isolated as an altogether independent and autonomous subject matter, so that it

may be analyzed and theorized entirely apart from other domains of thought and practice. As MacIntyre observes, “*The moral*,” is thereby “sharply and clearly distinguished from *the aesthetic, the religious, the economic, the legal, and the scientific*” (1990: 26). The consequence of this division of life into separate and compartmentalized spheres of thought and practice is the encyclopaedist habit of theorizing about the concepts of ethics—concepts such as “right,” “wrong,” “good,” “bad,” “just,” “unjust,” “permissible,” “impermissible,” “ought,” and “ought not”—in abstraction from other spheres of life and from the great diversity of human cultures in which moral concepts were and are actually applied.

According to the encyclopedic mode, the subject matter of ethics is, as it were, autonomous and self-sustaining. The moral theorist can, in principle, study the subject matter of ethics through a purely formal mode of enquiry. Such enquiry neither depends on nor requires the resources afforded by disciplines such as history or anthropology.

The fatal flaw of this type of abstract formalism, MacIntyre suggests, lies in the gap it creates between theory and practice, a gap that accounts for the lack of argumentative force in the claims made on behalf of one or another conception of ethics and justice developed through such formalism.²¹ One of the central

²¹ The critique of excessive formalism in moral theory does not, of course, begin with MacIntyre. It can notably be found, for example, in Hegel’s *Elements of the Philosophy of Right* (1820/1991), which takes to task the excessive formalism of Kant’s moral theory and the problematic conclusions about justice that follow from it. The principal tension between those accused of excessive formalism in moral theory and those who level such accusations is that between those who defend a model of justice in which the right prevails over the good and those who defend a rival model in which the good prevails over the right. The project of defending the former type of theory while grounding it in practice has been one of the central aims of the neo-Kantian moral theory otherwise known as discourse ethics, a theory whose chief proponents are Karl-Otto Apel and Jürgen Habermas. For an account of the challenge that discourse ethics faces in linking theory to practice, see Apel (1984) and Habermas (1973).

features of MacIntyre's mature thought is the rejection of this type of excessive formalism in moral theory and the defense of the alternative thesis that the starting point for moral enquiry ought to be the social, historical, and material circumstances of everyday life—the actual circumstance in which moral concepts have their genesis and application. To this end, MacIntyre proposes three distinct, but closely related, concepts that have become key to his mature thought.

MacIntyre on Practices

The first of these is the concept of *practice*. MacIntyre's concept of a practice has a notable predecessor in the ancient Athenian concept of *praxis*, which in Aristotle's *Ethics* (2003) is used to denote action. The underlying emphasis in the concept of *praxis* is that of practical activity, of choice- and decision-making. MacIntyre has something very similar in mind by his concept of a practice, which bears the unmistakable stamp of its Aristotelian predecessor:

By a "practice" I am going to mean any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended.

(MacIntyre, 1981/1984: 187)

Practices, according to this definition, are 1) goal-oriented, 2) norm-governed, and 3) distinctly social forms of activity. The goals of a practice are pursued for their own sake as they offer their own rewards. The pursuit of such rewards requires at the very least an implicit recognition and endorsement of the norms

definitive of that practice. Such norms must be socially recognized, as they provide a shared standard by which the members of a practice hold each other accountable and which therefore sustains a shared sense of coherence and purposefulness. What, then, are some examples of such goal-oriented, norm-governed, and distinctly social forms of activity? The examples offered by MacIntyre are those of football, chess, architecture, farming, scientific enquiry, the writing of history, painting, music, and the “creation and sustaining of human communities,” whether these be families, cities, or entire nations. The range of social practices is therefore potentially infinitely broad and includes the activities that fall under the categories of the arts, the sciences, athletic and non-athletic games, family life, ethics, and politics.²²

MacIntyre considers at some length the example of chess. Chess is a game with an internal system of rules and which is customarily played for its own sake. One could, of course, be induced to play chess by the prospect of a reward external to the game itself, such as money or status. One could similarly be induced by threats and intimidation. It is even possible to achieve considerable expertise by being so induced. However, customarily, chess is played for rewards internal to the activity of playing the game itself, rewards such as “the achievement of a certain highly particular kind of analytical skill, strategic imagination, and competitive intensity” (MacIntyre, 1981/1984: 188). In playing

²² MacIntyre's examples are of explicit practices. According to Brandom (1994, 2000, 2008), the very use of language itself can and ought to be seen as a practice, one with implicit norms by which language users can hold each other accountable. On this account, linguistic practice conforms to the model of a game, what Brandom calls the game of giving and asking for reasons.

chess for its own sake, a player acknowledges and endorses the rules of the game, rules by which the player can be held and hold others accountable. It is only in the light of such rules that some players might be judged better than others.²³

Practices are not, of course, timeless. They have their origins in the course of human history and the rules and goods internal to a practice may very well evolve over the course of that history. In the case of chess, the rules have been, and remain, stable. In the case of scientific practice, however, the rules have notably evolved. What qualified as biological research in the eighteenth century, for example, is quite different from what qualifies as biological research today. As a practice increases in its complexity, it is more liable to evolve.

That practices are liable to so evolve has a notable consequence, of course: it means that the standards internal to a practice are not above criticism. Such criticism requires familiarity and competence in the relevant practice, which itself requires “accepting the authority of the best standards realized so far” (1981: 190). Thus, if I wish to revise the standards of research in biology, I must first acquire a working competence in the latest standards of the discipline from those who already possess such competence. Norms and standards do not exist in nature; they are socially instituted through and through.

²³ MacIntyre provides a good working account of the social—one might say communicative—institution of norms and normativity. It is, however, at best a very basic account. For a far more complex and conceptually detailed account of norms and their social institution, see Brandom (1994: 3-66).

MacIntyre on Traditions

The possibility of contributing to a dialogue about the standards of a practice, a dialogue through which such standards may very well be revised, leads to the second key concept in MacIntyre's mature thought, that of *tradition*. About the link between practices and traditions, MacIntyre says the following:

To enter into a practice is to enter into a relationship not only with its contemporary practitioners, but also with those who have preceded us in the practice, particularly those whose achievements extended the reach of the practice to its present point. It is thus the achievement, and *a fortiori* the authority, of a tradition which I then confront and from which I have to learn.

(1981: 194)

This provides only a hint of what MacIntyre means by the term tradition. To start, we can glean from the above that a tradition is in part a dialogue about a practice, a dialogue extended over time, and whose objects of concern are the norms, ends, direction, and overall health of a practice. It is a dialogue whose distinctive conceptual vocabulary is supplied in large part by the practice itself. As MacIntyre puts it, a tradition is “an historically extended, socially embodied *argument*, and an argument precisely in part about the goods which constitute that tradition” (1981: 222; emphasis added).

Not every practice requires a tradition for its survival. Chess, for example, does not require an argument about its ends and norms for its survival. Its relative simplicity and ready appeal is sufficient to ensure that the game will be played in the absence of a tradition. More complex practices, however, especially those whose internal standards are liable to evolve, require traditions for their maintenance and long-term survival. Quantum physics, Bauhaus

architecture, Mahayana Buddhism, Marxist literary criticism, virtue ethics, and social democracy are all examples of such complex practices; there is for each of these practices a corresponding, and more or less constitutive, tradition.

Every tradition, MacIntyre contends, “begins in and from some condition of pure historical contingency” (1988: 354), in which some need is identified and for which some answer is supplied. Traditions have founding events and founding figures. They are defined by a core set of beliefs, utterances, and texts, which provide a tradition with its distinct point and purpose and which serves as the unifying core around which subsequent discussion and activity revolves. Membership in a tradition presupposes a working grasp of its history. The members of a tradition are, in a politically innocuous sense, bound by that history—by its founding figure or figures and its core beliefs and documents. Those founding figures, core beliefs, and documents hold a certain foundational status and serve as the central authority to which the members of a tradition characteristically defer. It is through this act of deference that they share a collective or group identity. Membership in a tradition does not presuppose uniformity of opinion, however. In fact, according to MacIntyre, a certain tension between the members of a tradition is vital to the maintenance and creative development of that tradition.

MacIntyre on Narratives

Membership in a tradition is not always the outcome of a conscious choice. In fact, according to MacIntyre, we are inescapably the unwitting heirs to

certain traditions of social practice. This leads to the third of the key concepts in MacIntyre's mature thought, namely, that of the *narrative self*.²⁴ The concept of the narrative self is more than a mere concept: it can properly be described as a theory of action and practical reason. To provide a clear understanding of this theory, MacIntyre sets it contrast to two rival and distinct, albeit symptomatically related, accounts of action and practical reason. The first of these is the behaviourist thesis that actions are discrete units of activity that can be isolated and analyzed apart from other such discrete units. According to this thesis, a single action by a single person is the outcome of a particular motivation, while another action by that same person, even if immediately subsequent, is the outcome of an altogether separate motivation. So that, between two supposedly separate and distinct actions, there is no overarching logic or reasoning that links them together. An individual action, according to this thesis, is independent of larger settings and contexts that might link it to other actions.²⁵

²⁴ A great deal has been made of MacIntyre's concept of the narrative self. This has to do with the pioneering character of that concept. It has, for example, been the principal influence upon the theory of time and narrative in the thought of Paul Ricoeur (1984a, 1984b, 1984 c). It has also influenced the thought of such prominent contemporary thinkers as Charles Taylor (1992) and Seyla Benhabib (2002). That influence can be traced to a diverse range of fields of enquiry, including literary theory, education theory, moral theory, and even theology. Narrative has become something of a trendy topic in the humanities and social sciences, owing in part to the relative simplicity and striking originality of MacIntyre's concept of the narrative self. It is tempting to get mired in an exceedingly elaborate and comprehensive account of the innumerable nuances and implications of this concept. For the purposes of the present discussion, a basic account will suffice.

²⁵ Although MacIntyre draws our attention to this thesis, it can no longer be said to hold a prominent place in contemporary theories of action. Influential accounts of action have been developed before and since the writing of *After Virtue* and can be said to have displaced the now-antiquated theory of behaviourism. These include accounts by Donald Davidson (1963), John McDowell (1994/1996), Robert Brandom (1994), Charles Taylor (1985), and John Searle (2001). McDowell and Taylor are notably Aristotelians, having developed a teleological account that closely mirrors that provided by MacIntyre.

The second account of action and practical reason acknowledges the significance of settings and contexts in logically connecting the actions of a single individual, but places a limit on the extent of this connection. According to this second account, there is indeed a self, but it is a self that is “liquidated” into a “set of demarcated areas of role-playing” (1981: 205). This account of the self is exemplified in the thought of Jean-Paul Sartre and the work of the German sociologist Ralf Dahrendorf. Both Sartre and Dahrendorf arrive at similar conclusions about what might be termed the existentialist self. This type of self is fully aware of how to act within its immediate social roles, whether that of parent, teacher, basketball player, or school board member. There is, however, in this as in the former instance, no overarching logic or reasoning that connects the self from its activity in one social role to that in another. There is, as it were, no purpose greater than that immanent within the particular social roles inhabited by the self. Hence the ultimate and inescapable pointlessness and absurdity of any given human life—the principal theme of the existentialist worldview.

MacIntyre rejects both of the above accounts and puts forth instead a theory of action and practical reason at the core of which is the experience of life in terms of an overarching story. In contrast to the behaviourist organism, which moves aimlessly from one action to another, and the existentialist self, which moves equally aimlessly from one social role to another, the narrative self moves according to a more or less coherent story that, more often than not, transcends its immediate actions and the multiplicity of social roles it inhabits. Just as stories have plots and subplots, so, too, does a human life have plots and subplots, or

primary and secondary settings. It is only in the light of such settings that we can make sense of one another's actions. An action can in this way be made intelligible, but only up to a certain point, beyond which it becomes necessary to enquire into the larger setting in which the former is situated. It is therefore vital to distinguish between primary and secondary intentions, for the latter are logically derivative of the former.

An example is in order. Consider the question, "What is he doing?" To play with MacIntyre's response to this question, consider the following response: "Chopping onions"; "Making lasagna"; "Working at his restaurant"; "Earning a living"; "Providing for his family"; "Leading a fulfilling life". The first description is intelligible in the light of the setting provided by the second, the second in that provided by the third, the third by the fourth, and so on. MacIntyre describes the hierarchical structure of intentions as follows:

[I]ntentions can be ordered in terms of the stretch of time to which reference is made. Each of the shorter-term intentions is, and can only be made, intelligible by reference to some longer-term intentions, and the characterization of the behavior in terms of the longer-term intentions can only be correct if some of the characterizations of shorter-term intentions are also correct. Hence the behavior is only characterized adequately when we know what the longer and longest-term intentions invoked are and how the shorter-term intentions are related to the longer.

(1981: 207-208)

A behaviourist would argue that there is no overarching reasoning that links that activity of chopping onions to that of washing dishes. The existentialist would contend that there is no more to this person's life than his roles as restaurateur and family member. There is, however, a third possibility, namely, that the restaurateur acts according to a logic that transcends not only his immediate

actions, but also his immediate social roles. For according to MacIntyre, settings have histories, and those histories often long precede those who inhabit such settings.

It may turn out, for example, that the restaurateur is the latest heir to a renowned family restaurant that extends several generations back in time. He therefore belongs to a history that long precedes him and, if he acts responsibly and intelligently, will continue long after him. It may be that he has been groomed from childhood to take over the family restaurant and now sees himself as playing an important role in the ongoing history of a family-run practice, a history larger and greater than himself. He would, according to MacIntyre, have discovered that he is an actor on a stage already set for him and that he has inherited a script which he now has the power to continue writing himself.

“We enter human society,” says MacIntyre, “with one or more imputed characters—roles into which we have been drafted” (1981: 216). What we enter into is an ongoing and enacted dramatic narrative, a narrative much larger than the characters we come to play. A human life more or less takes the form of a story; or, rather, stories take the form of human lives. We are, according to this argument, not only story-telling, but also and especially, *story-living* creatures. Stories lie at the very seat of human consciousness and awareness. They are the driving engines behind human actions and therefore account for the distinctly teleological character of practical reason. The comparison between stories and human lives, however, does not end there.

Just as conversation is the stuff of drama in the stories we read, so, too, is conversation the stuff of drama in the lives we live. In fact, “a conversation is a dramatic work,” says MacIntyre (211). Actual conversations, of course, vary in duration and intensity. Some are not long or interesting enough to be perceived as particularly dramatic. Conversations are nonetheless the stage or arena in which we work out our agreements and disagreements. It is in the heat of conversation that the essence of dramatic intensity is to be found. For MacIntyre, “conversation” involves more than the mere exchange of words. A conversation also, and just as importantly, involves interaction through wordless gestures. As he puts it,

Conversational behavior is not a special sort or aspect of human behavior, even though the forms of language-using and of human life are such that the deeds of others speak for them as much as do their words. For that is possible only because they are the deeds of those who have words.

(1981/1984: 211)

What we say and do, then, are both to be understood in terms of conversation and enacted narrative (ibid). This, of course, has an important consequence: if conversations are indeed narratives, then to inherit a narrative is to find oneself part of an ongoing conversation. The restaurateur is not only the heir to a family restaurant, but the heir also to a conversation—a conversation, in this case, about the restaurant itself, its past, present, and future performance and success. Put simply, the restaurateur is the heir to a tradition.

The Relevance of Practices, Traditions, and Narratives

The link between practices, traditions, and narratives lies in large part in their historical situatedness, contingency, and particularity. We inherit narratives and conversations by virtue of that point in time and that social milieu into which, by the sheerest accident, we happen to “plunge *in medias res*” (1981/1984: 215).²⁶ We are not born, that is, into a social or historical vacuum. “For the story of my life,” says MacIntyre, “is always embedded in the story of those communities from which I derive my identity.” He continues by saying, “I am born with a past,” such that “the possession of an historical identity and the possession of a social identity coincide” (221). In being born so born, “the self has to find its moral identity in and through its membership in communities such as those of the family, the neighborhood, the city, and the tribe,” among others (1981/1984: 221). This is not, of course, to suggest that we are imprisoned within those communities from which we derive our social and historical identities. It is, however, to say that the social and historical contexts into which we are born provide us with our “moral starting point” and “moral particularity” (220). We might shift from one practice to another, from one tradition to another, and from one community to another, but out of the historical contingency and particularity of practices, traditions, and communities there is no possibility of escape and the belief in precisely this possibility is what MacIntyre rejects as the illusion of individualism.

²⁶ MacIntyre’s use of the term “plunge” is doubtless influenced by Heidegger’s concept of *geworfenheit*, or “thrownness” (cf. Heidegger, 1962: 135, 148, 192, 228, 265, 284, 297, 348).

MacIntyre has a great deal else to say about practices, traditions, and narratives, much of which will be discussed in the subsequent chapters. For the moment, however, it is vital to ask: of what consequence are the concepts of practices, traditions, and narratives for MacIntyre's critique of objectivist moral theories? The consequences are two. First, if we are not only shaped, but also inescapably bound by social and historical contingency and particularity, then it follows that we must give up the search for that "realm of entirely universal maxims which belong to man as such," whether these are the maxims claimed by Kant in the eighteenth century or by his present-day heirs in the world of Anglo-American analytic philosophy (1981/1984: 221). Each practice and each tradition is composed of a particular vocabulary and a particular set of standards designed to deal with specific material circumstances that arise in the course of a specific history. This holds also and especially for those practices and traditions devoted to the establishment and maintenance of human communities—what we are apt to call moral traditions.

Second, if we cannot stand outside of time and history to begin moral enquiry from a neutral moral space—a space purified of contingency and particularity and from which we might proceed on terms that apply to all times and all places—we will then be forced to conclude that moral enquiry must begin from within one or another practice or tradition. There are, of course, a great many such practices and traditions, and it is not always possible to classify them simply as moral or ethical. In some instances, the moral is bound up with the political, as in the case of Athens. In others, the moral is bound up with the

theological, as in the case of Thomism (MacIntyre, 1990: 191).²⁷ For MacIntyre, it is here that one can appreciate the significance of history and anthropology, for these disciplines shed light on the range and variety of practices and traditions devoted to the establishment and maintenance of human communities.

If we follow MacIntyre in rejecting Enlightenment and Enlightenment-inspired moral theories that appeal to one or another purportedly timeless and ahistorical foundation upon which to develop the principles of ethics and justice, we will thereby be forced to acknowledge also that no one of the competing traditions can from the outset preemptively declare a moral or rational supremacy over its rivals. That leaves us, however, with the problem of a diversity of competing traditions. How, then, ought we to proceed in the encounter between rival traditions, an encounter whose significance lies in the competition between such traditions for legal and political influence?

There is a temptation to succumb to the relativist thesis that unless we possess universal, tradition-transcendent criteria by which to adjudicate between rival and competing moral claims, we will have no choice but to acknowledge the equal validity of all such claims. Indeed, Robert Wachbroit has objected that by not providing such a method, MacIntyre commits himself precisely to this relativist conclusion (1983). However, MacIntyre freely acknowledges that “there are no successful *a priori* arguments which will guarantee in advance that such a situation could not occur. Indeed nothing could provide us with such a guarantee

²⁷ In the case of Islam, the moral, the political, and the legal are intricately bound up with the theological. It is for this reason that it is often said that in Islam there is “no separation of mosque and state”. This, of course, poses a certain difficulty for those who wish to enter into moral discourse with the adherents of the Islamic faith.

which did not involve the successful resuscitation of the Kantian transcendental project" (1981/1984: 277).

In *Whose Justice? Which Rationality?*, MacIntyre acknowledges that the multiplicity of traditions creates a problem for communication between traditions.

As he puts it,

Given that each tradition will frame its own standpoint in terms of its own idiosyncratic concepts, and given that no fundamental correction of its conceptual scheme from some external standpoint is possible, it may appear that each tradition must develop its own scheme in a way which is liable to preclude even translation from one tradition to another. So it may appear that *communication* between traditions will at certain crucial points be too inadequate for each even to understand the other fully. A social universe composed exclusively of rival traditions, so it may seem, will be one in which there are a number of contending, incompatible, but only partially and inadequately *communicative*, overall views of that universe, each tradition within which is unable to justify its claims over against those of its rivals except to those who already accept them.

(1988: 348; emphasis added)

Does the rejection of an *a priori* method, then, not commit MacIntyre to the relativist thesis? More importantly, does relativism not imply the impossibility of communication and rational debate between traditions and cultures? The following chapter examines MacIntyre's rich and extensive analysis of the immensely important thesis of relativism.

CHAPTER THREE

MacIntyre Against Relativism

Introduction

This chapter examines MacIntyre's critique of relativism. Just as objectivism was shown to preclude the need for communication, relativism will be shown to preclude its possibility. Relativism can, of course, be construed in more than one way. MacIntyre thus distinguishes relativist theses about meaning from those about truth. Although the former create an obstacle for communication, the latter fundamentally preclude its possibility. MacIntyre thus has good reason to take relativism seriously, for it poses a fundamental challenge to his project. As I attempt to show below, MacIntyre's rejection of relativism culminates in a theoretical and practical commitment to communication and dialogue between the adherents of rival and incompatible systems of belief.

Background

In his 1984 essay, "Relativism, Power, and Philosophy," MacIntyre reveals, in one of his few intellectually autobiographical moments, that his appreciation for the relativist thesis was motivated in part by the wholesale rejection of relativism by Richard Rorty and Donald Davidson.²⁸ Relativism, MacIntyre observes, has throughout the history of philosophy been the subject of numerous refutations. He notes that nothing quite works in favour of an

²⁸ See Rorty (1982) and Davidson (1974/2001). Davidson's critique of the relativist thesis, it should be noted, is among the most widely cited in contemporary academic philosophy.

argument like repeated attempts to refute it thoroughly and decisively.

“Genuinely refutable doctrines,” says MacIntyre, “need only to be refuted once” (MacIntyre, 1985: 5).

Anxiety over the problem of relativism in the domain of morals is understandable. If the relativist thesis, or at least some strong version of it, were widely found to be unavoidable, it would have strong material consequences for human relationships. Relativism, after all, presupposes a lack of order, and a lack of order seems only to invite the arbitrary exercise of power. Relativism deprives us of standards by which to formulate positive and negative judgments concerning the actions of others. In a world dominated by moral relativism, the conduct of the tyrant would, in effect, be on a par with that of the saint. In fact, the morally inflected categories of “tyrant” and “saint” would cease to retain any meaning. Public moral debate between conscientious citizens would be a decidedly barren affair. This kind of anxiety over the consequences of moral relativism is surely justified, even if the worst-case scenario it presupposes is somewhat exaggerated.

That relativism might feed social chaos and the arbitrary exercise of power is not, of course, any argument against relativism. For it may turn out that relativism cannot be genuinely and decisively refuted. MacIntyre divides theories that cannot be refuted into two types. There are, in the first instance, those theories to which we owe our assent on account simply of the arguments that stand currently in their favour. These are theories for which debate has effectively ceased and for which we have no expectations for future counter-

arguments sufficiently powerful to undermine their validity. There are other theories, however, to which we owe only provisional assent as counter-arguments have yet adequately to be formulated, and this because debate over such theories is still very much in progress. To accord provisional assent to a theory in the course of an ongoing debate—a debate, in particular, in which theoretical neutrality or quietism is not an intellectually viable option—is to leave open the possibility that, at some future point, arguments against the theory will prove rationally superior to those that stand currently in its favour, thereby supplying the necessary grounds for a withdrawal of our initial assent. For a theory to be “genuinely transcended,” however, requires a working grasp of the arguments that stand currently in its favour and a like grasp of the limitations of those that stand against it (1985: 5).

It is all too easy, MacIntyre notes, to reduce relativism to the self-referential and, therefore, self-implicating claim that denies to all claims as such the possibility of being either true or false, and to conclude thereby that relativism is manifestly and inescapably self-defeating. This type of superficial refutation fails to do justice to the depth and complexity of the relativist thesis; it is, at best, *a smug refutation of an oversimplified argument*. There are far more sophisticated versions of the relativist thesis in the face of which such smug and superficial refutations prove pitifully inadequate. Relativism, MacIntyre insists, warrants a more serious response. It is precisely in the spirit of such seriousness and intellectual self-honesty that MacIntyre has sought to conceptualize relativism in such a way as to honour its motivating impulses, while not

necessarily endorsing the general range of its conclusions. What follows therefore is an account of MacIntyre's views concerning relativism and its implications for truth and the practice of public moral discourse.

Before proceeding, however, a certain methodological note is in order. MacIntyre's views on relativism are expressed in two key writings that reveal a development in his thinking over the course of a number of years. It is not possible to extract these views simply by reading one or the other of these writings. It can, for this reason, be somewhat difficult to peg MacIntyre's precise views. At certain points, he seems to endorse the worst conclusions of the relativist thesis. At others, he seems to reject those conclusions wholesale. All this derives from his having developed a nuanced understanding of relativism that permits neither wholesale acceptance nor wholesale rejection. His views lie somewhere in between. There is, however, an overall consistency to his views, which allows for a rather clean and straightforward conceptual account.

MacIntyre's Early Remarks on Relativism

"Relativism, Power, and Philosophy," represents MacIntyre's first serious engagement with relativism. Prior to this, he had only cursory remarks to offer in the afterword to *After Virtue*. His intention in this first serious engagement is not so much to say whether and how relativism might be transcended as to provide the most generous possible account of relativism and thereby to acquire a more or less clear sense of the practical stakes involved. MacIntyre begins this first engagement with the observation that relativism is not merely a philosophical

problem and that to suggest otherwise, as some philosophers have so suggested, is to betray “a certain lack of sociological imagination” (1985: 7). The problem of relativism arises in the first instance out of everyday social and practical circumstances, the types of circumstance that can potentially affect anyone and everyone. Philosophers may very well provide greater conceptual clarity to the problem of relativism, and, indeed, MacIntyre’s own work represents in part one such attempt at clarity. Philosophers, however, cannot claim to be the only ones to have identified or recognized the problem of relativism. What types of circumstance, then, generate relativist thinking and conclusions among philosophers and non-philosophers alike?

“They are,” says MacIntyre, “the social and institutional circumstances of those who inhabit a certain type of frontier or boundary situation” (1985: 7). It is the type of circumstance that was formerly made possible by, for example, colonialism, and which continues to be made possible today by immigration, forced migration, and population transfer. It is the type of circumstance that arises in societies marked by a certain kind and degree of cultural and linguistic diversity. The hypothetical example MacIntyre offers to illustrate this frontier or boundary situation is that of a single individual who simultaneously inhabits two distinct cultural and linguistic communities. Such a person may speak, to use MacIntyre’s historical example, Zuni or Irish to the members of one community, while speaking Spanish or English to the members of another community. Each such community is marked by a particular set of norms and modes of justification by which to guide social and individual conduct—norms and modes distinct from

those definitive of the other community. In this hypothetical example, as in countless other examples, the language and morality of a given community are so intricately intertwined that to speak through the one is necessarily to reason in terms of other:

For a language may be so used, and both Irish and Zuni have in some past periods been so used, that to share in its use is to presuppose one cosmology rather than another, one relationship of local law and custom to cosmic order rather than another, one justification of particular relationships of individual to community and of both to land and to landscape rather than another. In such a language even the use of proper names may on occasion have such presuppositions.

(MacIntyre, 1985: 7)

The point of invoking the difference in presuppositions in the use of a noun so basic and seemingly neutral as proper names is to illustrate the precise depths to which semantic difference can cut between two moral and linguistic communities. Such communities might, for example, employ two distinct place names that, to an outsider, may very well appear to be synonymous and therefore mutually interchangeable. However, even place names have presuppositions such that the semantic or conceptual significance of one place name in one language differs markedly from that in a rival language. Place names, like proper nouns more broadly, have certain “identifying functions” for certain people in certain times and places, such that the “relation” of a place name “to its bearer cannot be elucidated without reference to such identifying functions” (1985: 7). Thus, even if two communities employ two distinct place names for one and the same geographical location, the conceptual significance of one might still be distinct from that of the other. There is, as it were, no semantically neutral place name or proper noun.

Thus, to use another of MacIntyre's examples, although "Doire Columcille" in Irish and "Londonderry" in English both refer to a common geographical location, they cannot, properly speaking, be said to be synonymous or inter-translatable (1985: 7). Each name is the product of a certain history and therefore has, for the relevant community, a particular significance markedly different from that of the other. To use a starker example, one not discussed by MacIntyre, we need only to consider India's policy of renaming several of its major cities following the end of British colonial rule to appreciate the semantic difference between two place names. To a native of India, the difference between "Bombay" and "Mumbai" is not merely one of spelling or pronunciation. The former is laden with a colonial memory, whereas the latter, particularly in a post-colonial context of use, implies the affirmation of Indian sovereignty. The same may also be said for personal names, as was dramatically illustrated by the forced renaming of Kunta Kinte by his remorseless slave master in Alex Haley's novel, *Roots* (1974/2007).²⁹

MacIntyre takes care, of course, to distinguish between, on the one hand, those natural languages that feature a number of context-specific terms or expressions the use of which necessarily commits the language-user to "a shared, communal belief" of one kind or another, and, on the other, those natural

²⁹ MacIntyre acknowledges that outsiders who employ such proper names may very well do so without any knowledge of their original presuppositions. This, however, is not to say that this secondary use is itself altogether presuppositionless. The new presuppositions derive precisely from the new "specific social context of use" (1985: 8). MacIntyre's argument here is indebted to certain studies in philosophy and anthropology—specifically, those of Paul Zipp (1977) and Robin Foxx (1973)—concerning the semantic significance of proper names. The argument places him squarely in the company of those semantic theorists who, following Wittgenstein, accord a priority to language use in the order of semantic explanation. For a more recent and far more elaborate use-theoretic account of proper names, see Brandom (1994: 573–586).

languages in which this is hardly or not all the case (1985: 8). There are, for example, those natural languages, such as modern French or English, whose speakers are divided amongst themselves—in some cases quite sharply—as to their respective communal beliefs. The point is only that, in the former type of natural language, there is no possibility of a clean separation between language and belief. It is between the respective beliefs, norms, and modes of justification bound up with rival languages of this former type that the bilingual speaker of such languages will, by force of necessity, accord a priority to one or another language and corresponding system of beliefs so as to make sense of his or her life and so also to decide how best to live that life.

The matter is not merely one of choice between distinct languages and systems of belief, however; it is also one of translation and representation. For it may be that in one such language and corresponding system of belief, a key normative category or concept has no counterpart in a rival language and system of belief. Each affords a point of view such that, between the two systems, human conduct will necessarily be seen and judged differently:

What is from the one point of view a just act of war will be from the other theft; what is from the one point of view an original act of acquisition, of what had so far belonged to nobody and therefore of what had remained available to become only now someone's private property, will be from the other point of view the illegitimate seizure of what had so far belonged to nobody because it is what *cannot* ever be made into private property—for example, common land. The Spaniards brought alien concepts of ownership deriving from Roman, feudal, and canon law to their transactions with the Indians; the English brought concepts of individual property rights recognized by English common-law decisions to Ireland at a time when there was certainly a translation for the Latin "jus" in Irish, but none for the expression "a right" (understood as something that attaches not to status, role, or function, but to individuals as such).

(MacIntyre, 1985: 8)

MacIntyre anticipates the objection that it is indeed possible to translate certain words, phrases, expressions, and basic types of sentence from one language to another. His point, however, is not to deny absolutely the possibility of translation. There are, he acknowledges, social situations and types of circumstance that have more or less fixed parallels in most, if not all, cultures and communities. Insofar as such parallels are to be found, then to that extent, at least, translation is indeed possible. However, implicit in the very selection of basic words and types of sentence as evidence of the possibility of translation is the recognition that certain other words and types of sentence are not similarly amenable to translation. It is precisely these other words and sentences that pose a problem not only for translation and representation between languages, but also for choice between their corresponding systems of belief.

When MacIntyre invokes the role of social situations and contexts in the possibility of inter-translation and representation, he has in mind something more expansive than everyday social practices. According to MacIntyre, what in part distinguish one culture from another are those social situations generated and inspired by foundational or canonical texts. Such texts are key elements in MacIntyre's description of human communities. Canonical texts provide the members of such communities with a common reference point around which to unite and from which to acquire their sense of belonging and membership. Such texts include epic poems and sagas—the types of literary narrative that provide an overarching structure for the members of a culture. They define, among other things, the meaning of courage, justice, authority, and sovereignty. They set the

standards of understanding and misunderstanding, good and evil, truth and falsehood. Canonical texts might later be developed and supplemented by formal treatises on law and government, but they nonetheless serve as the foundation or bedrock of the culture for which formal treatises are later written. In the encounter between two such communities, each with its own set of canonical texts, those words, phrases, expressions, and sentences that derive from, or appeal to, canonical texts will, precisely because of the particularity of such texts, prove difficult, if not impossible, for inter-translation and representation. The beliefs of the one are, from the standpoint of the other, liable to “appear contextless and lacking in justification” (1985: 9).

A lack of knowledge of the language and systems of belief of a given culture is not the only, or even the principal, barrier to translation, however. It may in certain instances be that mastery of two languages and systems of belief is insufficient to allow for translation of certain words, phrases, expressions, and sentences from one language to the next. As MacIntyre remarks, “that we can understand completely what is being said in some language other than our own never entails that we can translate what we understand” (1985: 10). Bilingual speakers who are fluent in two languages and their corresponding system of beliefs are eminently aware of what can and cannot be translated. It is precisely this awareness of partial untranslatability that leads, in turn, to an awareness of the incompatibility between two systems of belief, and so of the inescapability of choice between them.

Awareness of untranslatability is therefore an awareness of what, between two systems of belief, amount to “two mutually incompatible conceptualizations of natural and social reality” (1985: 10). It is, moreover, an awareness not just of incompatible beliefs, but also of incompatible modes of reasoning and justification. It is, finally, an awareness that the choice between two languages and systems of belief can only be made on terms afforded by one or another language. The nature of this choice is such that the bilingual speaker does not have at his or her immediate disposal standards that lie beyond the rival and competing systems.

It is not possible to appeal to pre-conceptualized standards, for “[t]here is no access to any subject matter that is not conceptualized in terms that already presuppose the truth of one set of claims rather than the other” (1985: 10). It might, of course, be objected—and, in fact, has been objected—by Thomas Kuhn and Paul Feyerabend—that to the extent that two systems are not mutually translatable, there is no point of epistemic contact between them. To this, however, MacIntyre asserts the following: “Each community, using its own criteria of *sameness* and *difference*, recognizes that it is one and the same subject matter about which they are advancing their claim” (1985: 11; emphasis in the original). It is here that MacIntyre invokes the concept of *incommensurability*, affirming that two systems of belief can be incommensurable and, yet, still refer to a common subject matter. As MacIntyre puts it, “incommensurability and incompatibility are not incompatible.”

It is necessary to unpack what MacIntyre intends by this terse remark. “Relativism, Power, and Philosophy” was originally written for an audience of academic philosophers, so MacIntyre is perhaps justified here in speaking in rather cryptic terms. Incommensurability, however, is hardly a black-and-white concept and there is no agreement even amongst academic philosophers as to what exactly the term is supposed to mean.

As is often pointed out, the concept of incommensurability has its origins in Pythagorean geometry. In its original conception, incommensurability refers to the impossibility of measuring two line segments on certain types of polygon by a single unit of measurement. Thus, for example, in an isosceles right triangle, the hypotenuse is said to be incommensurable with its arm. In the latter half of the twentieth century, Kuhn (1962/1996) and Feyerabend (1975/1993, 1979) appropriated and creatively applied the concept of incommensurability to rival frameworks of scientific enquiry. Two rival frameworks—say, classical versus quantum mechanics—are said to be incommensurable insofar as they lack a single set of standards and criteria by which to evaluate the claims made from within each framework.

However, Kuhn and Feyerabend additionally define incommensurability in terms of *incomparability*. In their view, rival and competing scientific paradigms not only lack common standards and criteria of evaluation; they cannot even be compared to one another. The lack of common standards is thought to indicate that rival paradigms cannot, properly speaking, be said to refer to one and the same subject matter, since those who speak and write from within a given

paradigm inescapably formulate and articulate arguments and beliefs about natural phenomena in terms not available by the rival paradigm. The implication, then, is that because incommensurable systems cannot be compared, they cannot properly be said to be incompatible. Because their respective claims do not refer to common objects, they neither agree nor disagree; their claims simply slide past one another.³⁰

In holding that “incommensurability and incompatibility are not incompatible,” MacIntyre makes it clear that he does not share the incomparability thesis. If two languages and their corresponding systems of belief are not inter-translatable, they can still refer to one and the same subject matter. So that if, for example, in the historical encounters between the Zuni and the Spanish in the sixteenth and seventeenth centuries, each described differently the Spanish appropriation of land inhabited by the Zuni—the one as theft, the other as legitimate acts of acquisition—their respective descriptions and judgments may nonetheless both be said to be *about* one and the same historical occurrence. This much, however, is denied by defenders of the incomparability thesis.³¹

³⁰ For a good overview of the distinctions between *incommensurability*, *incomparability*, and *incompatibility*, see Bernstein (1983: 79-108). Vokey (2001) provides a useful distinction between three common uses of the term *incommensurability*. As he argues, *incommensurability* can refer to a thesis about standards, a thesis about meaning and translation, and a thesis about methods. When MacIntyre invokes the concept of incommensurability, it is clear that he has in mind the first two theses. Incommensurability for MacIntyre refers not just to an incompatibility between the foundational premises of rival moral systems, but also to the impossibility of translating certain words, phrases, and expressions as they appear in certain languages-in-use. It is also worth noting that Davidson’s critique of the incommensurability thesis is a critique of the thesis about meaning and translation, not the theses about standards and methods.

³¹ The problem of *reference* between different languages and systems of belief is arguably more complex than MacIntyre makes it out to be, even if he turns out to be correct, as I believe he is.

The bilingual speaker who recognizes that beliefs are context-relative will thus see the predicates “is true” and “is justified” in a new light, namely, as connoting that a given belief merely *seems* true or justified to this or that community (1985: 11). The bilingual speaker will therefore have acquired a perspective that, if not shared by the members of either community, will set him or her apart from both communities. He or she will in effect have become a kind of relativist. The predicament into which this hypothetical bilingual speaker would thus have fallen is one into which we today can similarly fall and, indeed, have often fallen. It is a question, however, of whether we possess the conceptual resources adequate to the task of overcoming the social consequences of the relativist predicament. What are those social consequences?

According to MacIntyre, to the extent that human relationships are unmediated by shared standards of justice and rationality, then to that extent are such relationships mediated instead by the arbitrary exercise of will and power. This is not to say that each such community will inescapably act unjustly toward the other. It is to say, rather, that standards of justice are always internal to the perspective afforded by a given community, and that it is precisely this perspective that each community is liable to impose upon the other by sheer force of will. Where rival communities lack shared standards, then, the

As Brandom argues (1994: 480-482), incommensurability about meaning creates a serious difficulty for enquiry and communication. There have been complex debates in the philosophy of science about the problem of reference, debates whose more notable participants have included Feyerabend (1975/1993), Israel Sheffler (1966), and Hilary Putnam (1965/1975), and which have led to important points of agreement about the possibility of common reference between incommensurable languages and systems of belief. As Brandom rightly points out, if common reference were not possible, then neither would communication itself—according to certain definitions, at least—be possible.

encounter between them is liable to devolve into clashing wills “unmediated by rationality” (1985: 11).

MacIntyre observes that it was precisely such a lack of shared standards that resulted in a clash of wills between the Spanish and the Zuni and between the English and the Irish. In each case, the former imposed its will, and its language, upon the latter—language being one of the principal instruments of Spanish and English imperialist power.³² Given these and countless other sobering historical examples of will and power unmediated by shared standards of justice and rationality, MacIntyre rightly wonders, “But can it ever be otherwise?” The answer to this question, he argues, hinges on whether the relativist predicament described above turns out, in the final analysis, to be “the last word on all relationships between rival human communities” (1985: 12). Only in the event that we can indeed transcend the relativist predicament can we ever realistically expect “a politics in which the exercise of power is both mediated and tempered by appeal to standards of rational justification independent of the particularism of the contending parties” (1985: 12).

MacIntyre acknowledges that the recognition of shared standards of truth and justification provides no guarantee against the former type of politics. He acknowledges also that the use of force can, on occasion, “serve the purposes of genuine practical rationality” (1985: 12).³³ MacIntyre’s point here is only that

³² Todorov (1999) provides one of the most illuminating studies of the role of language and symbol in the Spanish imperialist conquest.

³³ It can be argued, for example, that the Palestinian-Israeli conflict is precisely the type of conflict in which the recognition of shared standards of truth and justice alone would be insufficient to overcome a politics of unmediated will and power. It is in conflicts of this type that the use of

where the encounter between individuals and communities is, in fact, mediated by shared, and therefore impartial, standards of truth and justification can there be any hope or possibility of “unmasking and dethroning arbitrary exercises of power.” This holds for both “tyrannical power within communities and imperialist power between communities” (ibid). The standards that would, in principle, permit us to overcome the relativist predicament are therefore the standards that would, again, in principle, underwrite our judgments against tyrants and imperialists.

This type of argument, of course, pits MacIntyre against Nietzsche and those latter-day neo-Nietzscheans who presuppose from the outset a version of the relativist thesis so strong and indiscriminate that they hold each and every claim to truth to be no more than the attempt to dress up the will to power in the false language of impersonality and objectivity. MacIntyre acknowledges the early writings and interviews of Michel Foucault (1980, 1984) as representing the most sophisticated version of this type of argument. According to the early Foucault, all claims to truth are inextricably bound up with one or another form of power, such that no human relationship or act of communication can, to any intelligible extent, be said to be mediated by impartial standards. On MacIntyre’s reading, the early Foucault presupposes “a radical incommensurability thesis” that necessarily leads to a negative verdict on the nature and status of truth (1985: 12). In MacIntyre’s view, the consequence of endorsing Foucault’s conclusion is to forfeit a rational alternative to a politics of competing wills and the

force by a third-party mediator can, to use MacIntyre’s words, “serve the purposes of genuine practical rationality,” perhaps by holding each side accountable to its word.

arbitrary exercise of power. MacIntyre concedes that unless relativism can, in fact, be transcended, this Nietzschean conclusion concerning power and human relationships will necessarily prevail. MacIntyre has a great deal more to say about the relativist conclusions of Nietzsche and neo-Nietzschean figures like Foucault and Gilles Deleuze. For the moment, however, it will suffice to note that MacIntyre seems less keen at this point to offer a formal and definitive refutation to this type of argument than to consider possible answers to the relativist predicament.

One type of answer that springs immediately to mind, and it is a very tempting answer at that, involves the discovery or construction of a third language adequate to settling disagreements between those who speak and judge through terms afforded by either of two primary languages. As MacIntyre rightly notes, this third language, at the very minimum, would need to possess two key and interrelated features. The first of these features is a categorical neutrality and impartiality between systems of belief fundamentally at odds with one another. MacIntyre takes as a litmus test the question of whether the stock of proper names employed by each of the rival communities might, through the medium of a third language, be replaced with a set of value-neutral names or descriptions whose sole purpose or “essential function” would be that of linking words to objects. Proper names would thereby be divested of the particularities that presuppose allegiance to one or another culture or system of belief.

“Names,” so it would go, “having been Fregean, will have become by a process

of social change Kripkean" (1985: 13).³⁴ If a third language cannot remain neutral between place names, then it most certainly cannot remain neutral between those types of event or occurrence that generate precisely the sort of conflicting judgments for which a third language is sought in the first place.

The second feature is related to the first: a viable third language would need to possess the power to represent fairly and accurately the contents of each of the rival systems of belief. Such a language would need to remain independent of those types of social and material circumstance, and independent also of founding and canonical texts, which, together, guarantee precisely the kind and degree of cultural particularity that precludes the possibility of inter-translation and representation between rival languages and systems of belief. This third language would, moreover, need to exhibit this capacity in such a way that it does not itself represent or threaten to devolve into just one more partisan system of beliefs. As MacIntyre puts it:

What [a third language] will provide are resources for the representation of an indefinite variety of systems of beliefs, most of them originally at home in very different types of linguistic community, by means of a variety of devices that enable those who construct such representations to do so in a way that is quite independent of their own commitments.

(MacIntyre, 1984: 13)

Such devices include translation, paraphrasing, and commentary (*ibid*).

According to MacIntyre, it is by means of such devices that a number of pre-modern systems of belief, developed and expressed through pre-modern

³⁴ The reference alludes to Gottlob Frege's essay, "On Sense and Reference" (1892/1980) and Saul Kripke's *Naming and Necessity* (1980). Both are widely considered to be among the most influential documents in the history of analytic philosophy. The former insists that proper names possess semantic or conceptual content and that such content is potentially lost if proper names are replaced by variables. Thus, the sentence, "Jane called Joan," cannot be reduced to "X called Y." According to Kripke, it can be so reduced.

languages, *can*, in fact, be represented with a fair degree of accuracy through the medium of twentieth century English. This observation, however, is not MacIntyre's endorsement of English as a third language.

The proposal for a third language is, of course, old and readily familiar. It is an answer that has before been expressed by the call for a universal language adequate to the task of facilitating a dialogue between cultures and civilizations. It is the type of answer that has been sought in response to the great diversity of human languages and the consequent barriers to human communication, a diversity that has been symbolized on more than one occasion by the story of Babel.³⁵ It is also, according to MacIntyre, the type of answer that is, and can only be, a failed response to the problem of relativism.

The desire for a third language is understandably motivated by the ideals of neutrality and impartiality. It may very well be that between two languages, especially the kind in which language and belief are inescapably bound up with one another, a third language proves to be sufficiently neutral in its power to represent the contents of conflicting systems of belief. This, however, will have solved nothing, for a neutral medium of description is in no way the equivalent of a neutral standard of justification. That modern English, among other modern languages, seems, superficially at least, to possess the power to represent the contents of certain pre-modern systems of belief, originally developed and expressed through pre-modern languages, more or less accurately does not presuppose "an impersonal and neutral standard of justification in the light of

³⁵ For an excellent overview of the failed search for a universal language, see Pinchevsky (2005).

which the claims of the competing belief systems can be evaluated” (1985: 15). Evaluation and representation, it turns out, are not mutually inclusive features. A disagreement may be conducted through a third language, and beliefs may be represented fairly and accurately to the satisfaction of both sides, but we will not thereby have discovered a standard or criterion adequate to resolving that disagreement.

Put simply, overcoming the problem of rival and incompatible systems of representation does not entail overcoming the problem of rival and incompatible systems of justification, and it is precisely this fundamental conceptual error that motivates false and wildly exaggerated expectations for a third or universal language. The appeal to a third language, even one that qualifies as a neutral medium of description or representation, may provide greater clarity to a relativist scenario, but it would not thereby provide the conceptual resources necessary to move beyond that scenario. “Relativism,” says MacIntyre, “turns out to be so far immune to refutation” (1985: 17).

MacIntyre ends on a speculative note concerning a second type of response to the relativist predicament. He points out that relativism might seem irrefutable if we do no more than endorse the view that there are only so many points of view from which to interpret and judge the conduct of others, and that none of these points of view represents a standpoint outside of time and history. Every point of view, he notes, is suffused to one extent or another with what Edmund Burke (2003) called *prejudices*. Prejudices are the conditions for the very possibility of having any point of view at all. It is by now a given that we

cannot secure a standpoint divested and purified of such prejudices. According to MacIntyre, if we begin from this apparently ineliminable premise, it does not thereby follow that we are entirely powerless to convict others by means of rational argument of what we take to be tyrannical or imperial conduct, or that others are similarly powerless to convict us in turn. Put simply, recognition of the multiplicity of rival and competing points of view does not preclude the possibility of communication and justification between such points of view.

The answer to how relativism might be transcended, MacIntyre suggests, lies in the actual historical encounters between rival and incommensurable systems of thought and practice. MacIntyre takes his cue from the history of science, observing, in what is perhaps the most familiar historical example of such an encounter, that the incommensurability between Scholastic and Galilean scientific paradigms did not prevent the type of dialectical engagement from which the Galilean paradigm emerged the clear and indisputable rational victor. Galileo and, later, Newton were able not only to provide the kinds of answers for which Scholastic science was at a loss, but also to account for Scholasticism's failures. The standards of the one afforded a point of view from which to identify the weaknesses and limitations of the other.

MacIntyre concludes with a few suggestive remarks about the model of rationality required to transcend the relativist predicament—remarks which, because of their brevity and inconclusiveness, it will suffice only to summarize here. First, from the examples of actual historical encounters between rival and incommensurable traditions of enquiry, we are apt to begin the theoretical task of

transcending relativism from what might be termed the empirical fact of traditions. According to MacIntyre, it is only by examining the normative and conceptual architecture of traditions of enquiry that we might hope to extract a model of rationality sufficient to overcome the relativist predicament. This entails identifying the universal features of such traditions—that which makes a tradition a tradition.

Here, MacIntyre provides more detail to his concept of a tradition. Each tradition, he observes, is the attempt to maintain one or another practical model—moral, political, scientific, or whatever—by which to achieve some end or goal. Traditions are works-in-progress; when a practical model is found wanting or deficient, it is the role of a tradition to conduct a reflective or second-order evaluation so as to determine a possible answer. Traditions are, in part, in the business of providing answers to challenging questions. They are the kinds of questions that, if unanswered, threaten to undermine the validity and viability of a practical model. The answers to such questions presuppose a conception of material progress and therefore of standards of material success and failure.

The mistake, argues MacIntyre, is to search for a model of rationality as *such*, a model with determinate conclusions applicable to each and every scenario and immune from the need for future revision. The answer, he believes, is to conceptualize rationality as that which is embodied by a tradition. The model of rationality MacIntyre proposes is that which is not only socially and historically embodied, but one whose internal standards explicitly allow for the possibility of rational defeat in the encounter with some rival tradition. A tradition

that leaves open such a possibility presupposes a conception of truth as that which cannot be reduced to the beliefs endorsed by a tradition. Such a model of rationality would therefore preserve the distinction between “is true” and “seems true to such and such a community” (1985: 19), or that between truth and warranted assertibility. It is, moreover, this model that can ultimately provide an answer to those neo-Nietzschean critics of truth according to whom rationality is no more than an instrument of will and power.

Relativism and The Rationality of Traditions

Part of the aim of *Whose Justice? Which Rationality?* (1988) is to document the historical emergence of, and subsequent conflicts between, certain historical traditions of enquiry, each in its particular social and institutional settings and each also as characterized by its highly particular conceptions of justice and practical rationality. So, for example, MacIntyre examines the Aristotelian conception of justice as it succeeded its Platonic forebear in the culture of ancient Athens, a culture in which the arts of rhetoric and dialectic were bound up with a conception of ethics inseparable from that of politics, and in which the theory and practice of each was embodied in the political and educational institutions of the ancient Athenian city-state. MacIntyre also examines how the Aristotelian tradition later entered into creative conflict with the Augustinian tradition, the latter having emerged in an historical environment in which ethics was categorically distinct from politics, such that Augustinian thought was embodied in a large number of private monasteries in certain parts

of ancient Rome. As MacIntyre observes, it was from the dialectical encounter between the Aristotelian and Augustinian traditions that a third tradition of enquiry emerged, namely, that of Thomism. MacIntyre similarly traces the rise, evolution, and transformation of the traditions of enquiry of the Scottish Enlightenment, traditions whose principal ancestors include Aristotle and Augustine, and which culminate, after a series of internal conflicts, in modern liberalism. MacIntyre takes liberalism to be yet another tradition, albeit one that, in the writings at least of certain key liberal theorists, purports to rise above all traditions.

MacIntyre's historical analysis of traditions in conflict is significant precisely because it provides an account of the process by which intractable disagreement can be overcome by a kind of rationality and rational engagement that makes possible a viable reconciliation between two incommensurable systems of thought and practice. Although the details of this historical analysis are far beyond the scope of the present study, MacIntyre does make explicit the model of rationality he takes to be implicit in the traditions of enquiry reviewed in his historical analysis, a model adequate in principle to rise above the relativist predicament.

This model is provided in a chapter entitled, "The Rationality of Traditions." MacIntyre begins by emphasizing, once again, the historical contingency underlying each and every tradition of enquiry. It is the acknowledgement of such contingency that compels a consideration of the historical genesis, development, evolution, transformation, and, in certain cases, decline and fall of a tradition. With the acknowledgement of contingency comes a like

acknowledgment of change and flux, for no community can ever be said to be still and unchanging, notwithstanding what might be claimed to the contrary by or about so-called conservative communities. Every tradition is, as stated before, generated by the need to answer challenges to the validity and viability of a given model or system of thought and practice. To the extent that the members of a community are responsive to challenges that arise from ever-changing social and natural conditions, then to that extent is change and flux intrinsic to such communities. A minimum of this type of responsiveness is an inescapable feature of *all* communities.

MacIntyre identifies three stages in the “initial development” of a tradition. The first stage is that in which certain texts and human authorities are recognized by a group of enquirers as basic and foundational sources of answers for a given set of practical questions. By all practical intents and purposes, the set of theses collectively represented by such texts and human authorities achieve the status of first principles: starting premises by which subsequent judgments and conduct may be justified.

The second stage is that in which the conventional habit of deferring to the foundational texts and human authorities for answers to the relevant types of question proves to be deficient. Such texts and authorities will be found amenable to conflicting interpretations and therefore to conflicting judgments and conduct. The discovery of logical inconsistency and factual inaccuracy may further obstruct the capacity of a tradition to achieve its stated ends and purposes. Moreover, a community may, because of changing social and natural

conditions—war, poverty, technological change, voluntary migration, forced migration, or whatever—find itself confronting a large range of unanticipated challenges for which a tradition is more or less unprepared.

The third stage is that in which a community attempts creatively to answer such unanticipated challenges. MacIntyre refers to these challenges as “stimuli” and affirms that the responses to such stimuli depend partly upon the existing “stock of reasons” and modes of justification internal to a tradition, and partly upon the exercise of a certain “inventiveness” to overcome and compensate for the limitations of these internal standards and modes. It is in the third stage that certain theses will be reinterpreted, others revised, and others still discarded altogether. To the existing canon of texts and human authorities might be added additional texts and human authorities. The revision and reinterpretation of a tradition’s system of beliefs will not be a purely formal process, however. As MacIntyre puts it,

Since beliefs are expressed in and through rituals and ritual dramas, masks and modes of dress, the ways in which houses are structured and villages and towns laid out, and of course by actions in general, the reformulations of belief are not to be thought of only in intellectual terms...
(1988: 355)

Put simply, the process of revision does not proceed by algorithm. It therefore results in changes to those non-formal and aesthetic modes of expression that are indeed reflective of a community’s dominant beliefs, but which are not propositional in form or content.

The third stage is not to be confused with those periods of rupture characteristic of what Kuhn refers to as revolutions. MacIntyre affirms that the

third stage involves nothing like a “mass conversion” from one worldview to another, although such a conversion may very well serve as the founding moment of a tradition. Unlike a revolution, the third stage exhibits enough of logical and normative continuity such that it remains one and the same tradition. Says MacIntyre, “Some core of shared belief, constitutive of allegiance to the tradition, has to survive every rupture” (356).

What renders the third stage so significant is the need, in practice, to differentiate between the concepts of truth and falsity. The third stage affords the possibility of distinguishing between prior and present beliefs. Those beliefs that have come to be discarded are taken to be false, while those that are retained and remain operative are taken to be true. MacIntyre insightfully suggests that we come to appreciate the concept of truth by practical attributions of falsity to discarded beliefs. As he puts it, “The original and most elementary version of the correspondence theory of truth is one in which it is applied retrospectively in the form of a correspondence theory of falsity” (356).

By this, MacIntyre intends to say that we do not begin from an explicit concept of truth. We come to appreciate the concept of truth by learning that of falsity first, much like we come to appreciate the concept of order by acquiring first a sense of disorder. Such conceptual distinctions arise in the course of practical experience, that is, prior to any formal act of theorizing. We might initially believe, for example, that a certain type of punishment is justified by its capacity to deter certain types of crime. If we were to discover, however, that there is no correlation between that punishment and the relevant crime rates—or

that the punishment invariably results in the *increase* of such crimes rates—then we would be liable to revise our initial belief about the validity of the punishment. Our initial belief would have led to a disappointment of expectations, such that it would make sense in this case to demote such a belief to the status of a falsehood. It is precisely this ability, through memory and practical experience, to recall that certain past beliefs have led to disappointment that we distinguish between the concepts of truth and falsity.

According to MacIntyre, practical distinctions between the concepts of truth and falsity presuppose a theory of mind, that is, of the way the mind works in relation to the natural and social world. The mind, affirms MacIntyre, works actively to acquire a reliable grasp or picture of the world. The mind is not like a camera that takes neutral snapshots of various natural or social phenomena. It is not a mirror that offers an unmediated reflection or image of the natural and social world. Rather, the mind is active and responsive, seeking as the need arises to secure an evermore-reliable grasp of the world, one that will not be disappointed by the test of experience. This conception of mind is therefore not that idealized by the tradition of Cartesian thought, in which the basic or foundational units of knowledge are unmediated snapshots or representations of the world. What MacIntyre proposes instead is a conception of mind

...as activity, of mind as engaging with the natural and social world in such activities as identification, reidentification, collecting, separating, classifying, and naming and all this by touching, grasping, pointing, breaking down, building up, calling to, answering to, and so on.

(1988: 356)

Reliable knowledge about the world is simply that which survives the test of practical experience and proves resistant to disappointment. The mind, moreover, is purpose-driven, such that the types of experience that impinge upon the pursuit of one or another goal serve as the test of reliability.³⁶

None of this is to say that the mind does not produce pictures or representations of the natural and social worlds—it clearly does. It is just that such pictures and representations are, and can only be, works-in-progress, the accuracy of which is gauged by their capacity to avoid disappointment in the course of seeking to achieve “some specific purpose of mind” (1988: 357). Such working pictures and representations are therefore open to revision in the light of disappointing experience. Although we treat our current pictures and representations as corresponding to the world, there is, strictly speaking, no actual relation of correspondence, no metaphysical link between words and things. MacIntyre therefore disavows the correspondence theory of truth, which he classifies as philosophically untenable.

The theory of mind as active and corrective implies a theory of truth, that is, an account of the place of truth in ordinary linguistic practice. Such an account is not to be confused with a formal, analytical definition of truth. To take such and such a claim or representation to be true is to treat it in practice as though it would forever stand up to the test of practical experience. It is to hold, implicitly or explicitly, that such a claim or representation will never lead to

³⁶ MacIntyre’s discussion of the mind and its interactive relationship to the social environment is remarkably similar—virtually indistinguishable, in fact—from the functionalist model of human psychology developed by such classical pragmatists as William James (1890/1981), John Dewey (1896), and George Herbert Mead (1934/1967).

disappointment, “no matter how searching the enquiry, no matter how much evidence is provided, no matter what developments in rational enquiry may occur” (1988: 358). Such a claim or representation therefore invites the test of rigorous scrutiny—of questions, objections, challenges, counter-claims and counter-representations. To treat a claim or representation as true is, in effect, to nominate it for competition in the arena of “dialectical questioning.” What counts as success or failure in this arena is, of course, a vital and inescapable question, but it is a question nonetheless secondary to the commitment to rational accountability implicit in the very act of making a claim to truth. The goal of such accountability is, as MacIntyre puts it, “to discover which is the best answer to be proposed so far.” Those claims and representations that have thus far withstood the test of dialectical questioning and the “framing of objections” are the most deserving of the status of truth and therefore of our rational allegiance (358). This type of allegiance, however, is, at best, provisional, for it leaves open the possibility that, at some future point, the claims that have thus far warranted our endorsement may, through the very same process that vindicated them, be rationally defeated.

As MacIntyre points out, the account of rationality sketched thus far is incompatible with two readily familiar models of rationality that have historically dominated a good deal of modern philosophical thinking. The first of these is the Cartesian model, which begins the process of enquiry on the basis of what it takes to be self-evident metaphysical first principles immune to the need for revision and rational justification. By contrast, a tradition-constituted model of

rationality begins the process of enquiry on the basis of what it fully recognizes as premises generated in the course of history and the status of which is therefore contingent at best. Such premises are, of course, treated in practice as first principles, even timeless first principles. Their justification, however, is relative to a particular set of historical circumstances; they are by no means self-evident. According to a tradition-constituted model of rationality, the validity of a given set of first principles is justified only insofar as it withstands the test of dialectical questioning in the course of a very specific history. Those principles are therefore not immune to the possibility of revision or even of abandonment altogether.

The second model of rationality is that famously spawned by Hegel and which achieves its most politically influential expression in the thought of Marx. It is a conception of rationality that posits in advance an endpoint to the process of enquiry, a final moment at which the search for answers will have reached its ultimate logical conclusion. The Hegelian model envisions a trans-historical enquiring subject that, in the course of time, will achieve the kind of awareness and self-awareness that effectively settles the need for future enquiry. By contrast, the tradition-based model of rationality commits itself to no such finality or endpoint. It rests in the end upon nothing more than pure contingency and provisionality. As MacIntyre puts it, "No one 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" (1988: 361).

Although MacIntyre does not mention it here, the tradition-based conception of rationality is distinct also from the deontological model of rationality exemplified in the thought of Kant. The deontological model, as discussed in the previous chapter, is determinate with respect to practical judgments. It is a monological conception of rationality that rules out in advance the need for rational discourse and communication. By contrast, the tradition-based model is open-ended and indeterminate. It does not issue in any particular set of moral and political judgments. Although it is admittedly norm-laden and therefore presupposes a minimum of normative commitments, such norms and commitments are epistemic, not moral or political. The open-endedness and indeterminacy of the tradition-based model therefore encourages—requires, in fact—communication and rational deliberation.

Thus, according to a tradition-based model of rationality, neither first principles nor practical judgments are exempted from the demands for rational justification. Between the two, however, demands posed to the former clearly present a greater difficulty for the adherents of a tradition. For it may on occasion be the case that the general range of first principles by which those adherents have thus far conducted their enquiry or enquiries are confronted by the kind of dialectical challenge for which minor revisions and reinterpretations characteristic of the third stage prove insufficient to sustain the overall validity of a tradition. In scenarios of this kind, the entire theoretical edifice of a tradition threatens to unravel, thereby plunging its adherents into what MacIntyre—here and elsewhere (1977)—calls an epistemological crisis.

Such moments of crisis effectively disrupt the process of enquiry. Aims are questioned, methods are found to be deficient, and presuppositions are suspected of being misleading, if not entirely false. Members of a tradition racked by an epistemological crisis can no longer rely upon the established set of first principles that had defined the tradition up to that point. Where they had once reinforced each other's basic beliefs they now express profound doubts. Such doubts are liable to devolve into the kind of internal division and disagreement for which there is no conceivable means of rational arbitration. It so happens that the very standards by which a tradition had hitherto measured the progress of its enquiries thus far now stand to indict that same tradition for ceasing to make progress. In the face of an epistemological crisis, the adherents of a tradition are compelled to undertake nothing short of a full-scale reformation.

According to MacIntyre, such a reformation would need to exhibit three principal features. First, the reformed theoretical system would have to answer the challenge that forced the tradition into an epistemological crisis in the first place, and this without falling back upon those principles, methods, and assumptions that initially proved fundamentally inadequate. Second, the reformed system would need to possess the explanatory power to account for the weaknesses and deficiencies of those earlier inadequate principles, methods, and assumptions. Third, it would have to afford the kind of perspective from which a tradition's adherents could document its development, evolution, and reformation, while making explicit the principles that would have had to survive each stage of the tradition to guarantee "fundamental continuity".

Those traditions that are unable to survive an epistemological crisis face one of three outcomes. Its adherents can fall back upon the dogmatic assertion and reassertion of the very principles, methods, and assumptions that generated an epistemological crisis in the first place. Earlier in the argument, MacIntyre refers to “the appeal to the authority of established belief” as the “weakest form of argument” (1988: 359). He notes also that those persons and texts whose authority is taken to derive from “their relationship to the divine” will characteristically be “exempt from repudiation” (355). Traditions based upon the authority of such persons and texts are therefore particularly liable to fall back upon dogmatic assertion and reassertion precisely because certain core elements in their theoretical structure are not open to revision.

The second possible outcome for traditions confronting an epistemological crisis is to undergo a revolution from which a new, and substantially different, tradition will emerge. Revolutions characteristically exhibit a fundamental break with the theoretical structure of the earlier tradition. They involve a radical change in perspective such that the former tradition now appears categorically different. The third possible outcome is the dissolution of a tradition altogether, in which there is neither reformation nor revolution, and in which the community of enquirers ceases to remain a community in anything except a historical sense.

Of what significance are epistemological crises? It is that they afford the kind of second-order reflection by which the adherents of a tradition are able to distinguish between truth and justification. Such reflection allows them to conclude that what they had formerly taken to be justified and therefore true were

later shown, by standards internal to their own tradition, to be neither justified nor true, and that what they now take to be justified may similarly turn out not to be true either. Truth as an ideal is therefore more and greater than what is taken at any given moment to be justified, and it is this insight that is the mark of a certain intellectual maturity, the kind of maturity that affords an answer to the relativist challenge.

If relativism is understood as the claim that there are only so many theoretical standpoints, and that each such standpoint necessarily vindicates itself by its own internal standards of truth and justification, then this much at least can be shown to be false. For what this conception of the relativist thesis fails to acknowledge is the historical life of a tradition: its birth, development, evolution, and, in some cases, reformation. Relativism so conceived overlooks the possibility that a tradition may well be undermined and discredited by its own standards, a possibility already acknowledged by the adherents of those traditions that have experienced epistemological crises. Traditions can indeed be shown to fail, and this even before they enter into dialectical conflict with rival traditions.

What, then, are we to make of such conflicts? The relativist thesis may alternatively be conceived as the claim that, between rival and competing systems of thought and practice, there are no independent standards by which to conduct a neutral and impartial evaluation of rival and incompatible moral claims. Thus, even if two systems of thought and practice survive immanent critiques of their validity, there nonetheless remains no outside standpoint that might serve

as a neutral court of appeal. According to MacIntyre, this type of argument is yet again symptomatic of a severe lack of imagination. It assumes that either there are independent standards for a neutral evaluation or there are no standards at all for such evaluation. What this version of the relativist thesis overlooks is the possibility of standards that are neutral precisely because they are shared by two otherwise incompatible traditions or systems of thought. Independence and neutrality are not mutually inclusive. Prior to undertaking the kind of detailed ethnographic analysis that might reveal the precise extent of logical, empirical, and normative overlap between rival systems, it would be entirely unclear how anyone might declare in advance that two competing systems lack common or shared standards. This kind of *a priori* claim presupposes what it explicitly denies, namely, a privileged epistemic vantage point outside of time, history, and tradition from which to issue absolute and indiscriminate judgments about the impossibility of a neutral comparison or evaluation. It is to issue judgments about justification without making explicit whether and how such judgments are themselves justified. By disavowing the possibility of justification across rival systems of thought and practice, the relativist robs him- or herself of any grounds on which to say anything at all. At most, he or she can acknowledge a multiplicity of claims and judgments. Beyond that, however, the only option that does not beg the question is silence. As MacIntyre puts it, to be a relativist is “to be in a state of intellectual and moral destitution, a condition from which it is impossible to issue the relativist challenge” (1988: 367).

Yet another version of the relativist thesis holds that there is no distinction between truth and justification, or truth and warranted assertibility. Truth, according to this argument, is always relative to a point of view at a given moment in time, and the idea that truth can ever be more and other than what we presently take to be justified is an illusion. Hence, the very category of truth is dissolved altogether, not just between traditions, but within them as well. Again, this version of the relativist thesis rests upon an ahistorical standpoint. It overlooks the historical character of justification and the distinctions between truth and justification implicit in the activity of enquiry and explicit in the tradition-based conception of rationality. Those who collapse the distinction between truth and justification are, by that very gesture, “excluded from the possession of any concept of truth adequate for systematic rational enquiry.” Their arguments are “not so much a conclusion about truth as an exclusion from it and thereby from rational debate” (1988: 368). Put simply, the relativist thesis so conceived is an act of self-imposed exile from rational dialogue.

This, of course, raises an obvious question: if relativism culminates in the rejection of dialogue and if this particular consequence of the relativist thesis is itself to be rejected, then in what does communication and dialogue between rival and competing traditions consist? The following chapter explores MacIntyre’s answer to this question.

CHAPTER FOUR

MacIntyre on Communication and Dialogue

“When I use a word,” Humpty Dumpty said, in rather a scornful tone, “it means just what I choose it to mean—neither more nor less.”

“The question is,” said Alice, “whether you can make words mean so many different things.”

“The question is,” said Humpty Dumpty, “which is to be master—that’s all.”

Lewis Carroll, *Through the Looking Glass* (1872)

Introduction

This chapter presents MacIntyre’s proposal for communication and dialogue between the adherents of rival and competing traditions. First, I first address some difficulties in conceptualizing communication. Second, I examine the very idea of communication between traditions. Third, I take up the question of whether communication is even possible. Fourth, I provide a systematic account of MacIntyre’s theory of communication. I compare the conceptual differences between his theory and the so-called transmission model of communication. Finally, I provide an account of MacIntyre proposed model of dialogue.

Foundational Concepts and the Problem of Indefinability

In an essay entitled, “The Folly of Trying to Define Truth,” Donald Davidson contends that truth is a concept so basic and foundational to ordinary

linguistic practice that it is impossible to define it in terms yet more basic and foundational. Each and every attempt to define truth, says Davidson, invariably appeals to concepts that only beg for further definition and clarification. Thus, truth is often defined as correspondence to fact or reality. This, however, transforms the burden of defining truth into the far greater burden not only of defining concepts like “fact” and “reality,” but also of making explicit the precise mechanics behind the mysterious process of correspondence. In light of the difficulties that confront the idea of truth as correspondence, truth theorists have variously proposed rival conceptions of truth: truth as coherence, truth as consensus, truth as warranted assertibility, and, not least, truth as the verdicts that would eventually be reached at the end of an ideal enquiry. The very multiplicity of definitions of truth indirectly betrays the weaknesses and limitations of each. It is, of course, a short step from the observation of inescapable weakness and limitation to the conclusion, drawn by Richard Rorty and others, that truth is a barren and antiquated species of metaphysics with no place in serious enquiry.

Davidson, however, cautions against this type of rash judgment. Truth, he observes, is a concept like that of mind, belief, meaning, action, cause, good, and right. Truth is among

...the most elementary concepts we have, concepts without which (I am inclined to say) we would have no concepts at all. Why then should we expect to be able to reduce these concepts definitionally to other concepts that are simpler, clearer, and more basic? We should accept the fact that what makes these concepts so important must also foreclose on the possibility of finding a foundation for them which reaches into deeper bedrock.

(Davidson, 1996: 264)

Davidson follows Moore, Russell, Frege, and Alfred Tarski in concluding that truth is indefinable. However, instead of dismissing the concept of truth on account of its indefinability, Davidson suggests investigating the role that truth plays in ordinary linguistic practice. Rather than getting mired in the project of establishing a formal definition of truth, or a “quasi-definitional clause, axiom scheme, or other brief substitute for a definition,” Davidson proposes instead that we “trace the connections between the concept of truth and the human attitudes and acts that give it body” (1996: 276). Prior to any formal theorizing about truth, we can and do observe that ordinary forms of social interaction are often motivated by a commitment to something we call “truth”. We ought therefore to investigate what everyday people intend by the concept of truth in everyday types of context.

Communication as an Indefinable Concept

In many ways, the concept of communication is like that of mind, belief, meaning, and truth. It is an elementary concept understood by everyday people and used in everyday contexts prior to any attempt to arrive at a formal or theoretical definition. We often use the concept of communication in casual conversation and we seem to have a sufficient grasp of the concept to so use it. Still, just as we might seek to learn something more about the nature of mind, belief, meaning, or truth, so, too, might we seek to learn something more about the nature of communication. A problem, however, at once arises when, in our attempt to learn something more, we confront a menagerie of theories,

definitions, and conceptions of communication, each competing to establish itself as superior to its rivals in respect either of empirical accuracy or of ethical orientation.

Arguably, the most common or intuitive conception of communication is that of communication as the conveyance of one or another type of content. The linguistic pragmatist Robert Brandom describes this idea as follows:

Communicating is naturally conceived as *conveying* something. According to such a conception, before an episode of communication takes place only the communicating agent possesses what is to be conveyed; after successful communication the recipient possesses it as well. Overt performances serve as *vehicles* by which what is communicated is transported from speaker to audience. In the Lockean version of this transportation model of communication, what is transferred is ideas... Upon having an idea, the speaker associates a spoken or written word with it, and upon hearing or seeing the word, the audience associates the corresponding idea. Communication is a way for speaker and audience to achieve a shared idea.
(Brandom, 1994: 479; emphasis in the original)³⁷

In the discipline of communication studies, this common or intuitive conception of communication is known as the transmission model of communication.³⁸ Although it appears in various forms, the transmission model captures the basic idea articulated by Brandom above. The transmission model is to the idea of communication what the correspondence theory is to the idea of truth: it is the attempt to make explicit in clear and logical form the nature and

³⁷ Brandom, it should be noted, is neither a champion nor a critic of the transportation model of communication. He merely acknowledges that it is but one way in which communication can be conceptualized. Brandom's work is devoted to the explication of another such conception, that of communication as linguistic practice, which he describes as the cooperative activity of "coordinating social perspectives by keeping deontic score according to common practices" (1994: 479).

³⁸ For an overview of the transmission model within the discipline of communication studies, see Carey (2008: 11–29).

structure of a concept that has long played a role in everyday types of context. It is also the most severely criticized model of communication.

Depending on the particular angle of criticism, the transmission model has been rejected on account of its being inaccurate, metaphysical, impossible, or unethical. It is said to be inaccurate because communication is surely more and other than transmission; metaphysical, because it presupposes a unified self or subject; impossible, because no mind or idea can ever duplicate itself intact within another mind; and unethical, because transmission presupposes the desire for control. Hence, the transmission model is judged to be either empirically wanting or ethically bankrupt, and therefore to be dismissed, like the correspondence theory, as just one more bad idea.³⁹ A question, however, remains: with what, if anything, ought we to replace it?

Just as it is tempting to conceptualize truth as *something*—truth as correspondence, truth as coherence, truth as consensus, truth as warranted assertibility, truth as construction, or whatever—so, too, is it tempting to conceptualize communication as *something*. One recent collection of essays by scholars of communication (Shephard, St. John, & Striphas, 2006) has managed to identify no less than twenty-seven distinct conceptions of communication. The rival and often incompatible attempts by experts in communication to define the very object of their own field of expertise would seem to illustrate, perhaps more starkly, the lesson drawn by Davidson from attempts by academic philosophers to define the concept of truth. Communication, that is to say,

³⁹ See, for example, Carey (1989/2008), Peters (1986, 1994, 1999), Chang (1988, 1996), and Pinchevsky (2005).

seems to be indefinable. To the student of communication, the attempt to define it is not unlike that of Socrates struggling to get Euthyphro to define holiness. It results, to borrow Davidson's words, in "[t]he pattern of attempted definition, counterexample, amended definition, further counterexample, ending with a whimper of failure" (1996: 264).

The Idea of Communication Between Traditions

There are at least two basic types of communication theory: empirical and normative. Empirical theories of communication attempt to say what communication is. Normative theories of communication propose how we ought to communicate or what we ought to do if we are to achieve communication. Thus, theories of communication are not always theories of one and the same thing. It would, of course, seem that a theory of the one type presupposes a theory of the other. Saying what communication is, that is to say, seems to presuppose one or another conception of what it ought to be. Similarly, saying what communication ought to be or what we ought to do if we are to achieve communication seems to presuppose some conception of what communication actually is. In this respect, at least, theorizing about communication is markedly different, and far more complicated, than theorizing about truth.

Perhaps to his credit, MacIntyre does not define communication. His empirical conception remains, at best, implicit. What he offers instead is a normative theory. It is a practical answer to a practical question, namely, that of how the adherents of a given tradition of thought and practice, with its particular

language, conceptual scheme, and standards of truth and justice, might achieve a working grasp or understanding of a rival such tradition. For MacIntyre, the problem of communication between traditions is that of learning enough about a rival tradition so as to engage it in dialectical conflict—the type of conflict by which one tradition may defeat, or be defeated by, another. To this end, what MacIntyre proposes is fundamentally different from the transmission model of communication, at least as that model has been commonly formulated in the discipline of communication studies. For MacIntyre, communication is not a matter of one mind seeking to duplicate itself or some message within another mind—whatever that might mean—nor is it a matter of seeking to influence an audience. It is, rather, the project of one community seeking to acquire an intellectual grasp of the language and inferential structure of another community's system of beliefs.

MacIntyre does not treat communication as an ideal to be abstracted out of social and material contexts and then theorized in general or universal terms. His aim, rather, is to provide an account of a highly contingent activity situated within very specific social and material contexts. In this respect, MacIntyre ought not to be read as proposing a theory of communication *as such*, but rather a theory of communication for certain types of circumstance and for certain types of people with certain types of intention—a theory, that is to say, of communication *for a purpose*. To use Davidson's words once again, MacIntyre's proposal is an attempt to honour one class of "human attitudes and acts that give it [the idea of communication] body."

On the Very Possibility of Understanding and Communication

In the penultimate chapter to *Whose Justice? Which Rationality?*, MacIntyre prefaces his discussion of communication between traditions by considering an insight by Davidson on linguistic commonality and the limits of difference. According to Davidson,

...finding the common ground is not subsequent to understanding, but a condition of it... A creature that cannot in principle be understood in terms of our own beliefs, values, and modes of communication is not a creature that may have thoughts radically different from our own: it is a creature without what we mean by thoughts.

(Davidson quoted in MacIntyre, 1988: 371)

Davidson's argument requires some elaboration. His view that commonality is a condition of understanding is in part a response to Willard Van Orman Quine's (1953, 1969) controversial thesis that translation between languages and cultures is effectively impossible. According to Quine, there can be no point of epistemic contact between different languages and cultures, such that communication and understanding between them is never more than illusory. We interact with people from other cultures and communities as though we understand them, when, in fact, the very conceptual schemes with which we formulate our thoughts and judgments are organized in such a way that what is expressed in one scheme cannot possibly hold the same meaning or inferential significance that it would hold if interpreted in terms of a rival such scheme.⁴⁰

⁴⁰ As Brandom notes, it is unclear whether Quine means by this argument that communication is impossible between communities only or between individuals also: "What effect does this relativity of inferential significance have for understanding *communication*? Quine does not explicitly raise this issue because he systematically waffles on the question of whether his 'webs of belief' or 'total theories' are individual or communal, whether we each have a different 'total theory' or all share one" (1994: 478; emphasis in the original). Regardless of whether Quine intended his thesis to refer to communities or individuals, it is clear that, if taken at face value,

In his essay, "On the Very Idea of a Conceptual Scheme," Davidson challenges Quine's thesis by drawing attention to its incoherence. As he argues, it is all fine and well to talk of different schemes of belief, "but only if there is a common co-ordinate system on which to plot them; yet the existence of a common system belies the claim of dramatic incomparability" (1974/2001: 184). According to Davidson, if difference were indeed absolute, there would be no possibility of speaking about different conceptual schemes as conceptual schemes. That is to say, there would be nothing to motivate a comparison between them. That such comparisons are made at all betrays an inescapable commonality. In this respect, a minimum of understanding and communication is, in principle, always possible.

Charles Taylor has offered the following interpretation of Davidson's argument. As he puts it,

...total unintelligibility of another culture is not an option. To experience another group as unintelligible over some range of their practices, we have to find them quite intelligible over other (very substantial) ranges. We have to be able to understand them as framing intentions, carrying out actions, trying to communicate orders, truths, and so forth. If we imagine even this away, then we no longer have the basis that allows us to recognize them as agents. But then there's nothing left to be puzzled about. Concerning nonagents, there is no question about what they are up to and hence no possibility of being baffled on this score.

(Taylor, 2002: 291)⁴¹

the consequence is that communication and understanding between languages and cultures are effectively impossible.

⁴¹ Although he does not cite Davidson, Terry Eagleton expresses a very similar point. As Eagleton puts it, "only someone with whom you can communicate can affirm their difference from you. Only within some kind of common framework is conflict possible. [...] Difference, therefore, presupposes affinity" (Eagleton, 2003: 159). In a commentary on the thought of Gadamer's hermeneutics, Brice Watcherhauser offers still another argument in this vein: "Even

According to Davidson, it is not a matter of absolute difference between cultures and conceptual schemes, but rather that of determining when and why “we cross from the merely strange or novel to the absurd” (1974/2001: 184). That is to say, it is a matter of determining when difference becomes radical.

As MacIntyre points out, however, Davidson does not say “how different difference has to be in order to be a radical difference” (1988: 371). MacIntyre concedes that there will always and inescapably be some minimal degree of conceptual overlap between any two given languages and systems of belief, such that mutual, if partial, communication and understanding between them is, in principle, always possible. As MacIntyre notes, however, to have acknowledged what is possible in principle does not tell us anything interesting about the actual conditions under which either might be achieved.

MacIntyre on Communication Between Traditions

MacIntyre therefore sets out to provide an account of the conditions under which the members of a given tradition of thought and practice might secure a working understanding of a rival such tradition. The principal difficulty confronting any such project of understanding is that of determining the types of “linguistic relationships which can hold between traditions” (1988: 371). Such relationships are of two types: translatability and untranslatability. An account of such relationships allows for further understanding of the nature of traditions as embodied not only in history, but also and especially in language. By invoking

to be aware of others as occupying a different normative space of inquiry requires that their space and ours not be completely sealed off from one another” (Watcherhauser, 2002: 64).

the “linguistic embodiment of traditions,” MacIntyre emphasizes the importance of 1) the different ways in which languages are used within distinct historical communities and 2) the ways in which languages evolve and transform over the course of their history.⁴²

As MacIntyre puts it, all traditions are “embodied in some particular set of utterances and actions and thereby in all the particularities of some specific language and culture” (1988: 371). The very founding of a tradition is made possible by the use of concepts, and the use of concepts is itself inextricably tied to a particular language as it used in a particular social, cultural, and historical setting. Concepts, that is to say, are not pre-linguistic or supra-linguistic; they are, rather, fundamentally linguistic phenomena. The concepts of a tradition may be taken from an existing stock of concepts available in a given language and culture or, in some cases, they may be partly, though not entirely, formulated anew. Concepts are not static and they may therefore be expanded and modified. None of this, however, is possible without the conceptual apparatus afforded by a particular language. Languages are not conceptually neutral means of expression that can just as easily lend themselves to any one tradition of thought and practice as they can to any other. Rather, they impose limitations upon the conceptual creativity, development, and activity of a tradition, limitations

⁴² As MacIntyre notes (1988: 371), the emphasis upon language use and history distinguishes his approach from that of analytic philosophy, which accords a priority to a purely formal mode of ahistorical semantic analysis as the method for answering the questions of ethics, among other kinds of questions. Although MacIntyre distances himself from the suggestion that he is proposing an alternative first philosophy, it is nonetheless worth noting that his emphasis upon language use bears a strong similarity to Wittgenstein and Brandom, both of whom collapse semantics into pragmatics. According to this approach, all meaning is situated within actual linguistic practices, or, to put it another way, within actual practices of communication.

that necessarily vary from one language to another. In this respect, the conceptual architecture of a tradition is in key part dependent upon the language in which it is founded, developed, and sustained.

Traditions are not, of course, bound to the languages in which they were founded. A tradition may, for one reason or another, expand or migrate from its original setting into new cultural and linguistic territory. In such an event, it becomes a matter for representatives of the tradition to survey the new territory and to identify what parts of the tradition can and cannot be translated into the new language. What can be translated are those concepts with more or less clear parallels in the new language. What cannot be so translated will require the invention of a new vocabulary and idiom. This kind of invention might result in the evolution of a tradition, as the new language affords a different apparatus for conceptual activity. According to MacIntyre, when a tradition is reconceived in a language other than that in which it was founded and developed, "it can only preserve its relationship to its past through a recognition of the presence of the originating language, and indeed of any intermediate languages, within the language in which it is now spoken and written" (1988: 371).

To take an example not discussed by MacIntyre, consider the case of the Islamic tradition. Islam was founded in seventh century Arabia and its canonical text, the Qur'an, was originally articulated in a seventh century tribal dialect of Arabic. As Islam rapidly expanded into new geographical and linguistic territory, its system of beliefs was, to one extent or another, translated into each of the local languages in which the tradition took root, giving rise to a new conceptual

vocabulary and idiom in each language, and this for the purpose not only of ritual performances, but also of speaking and writing about the tradition in a non-ritual mode. In each case, the new vocabulary and idiom featured terms from the original Arabic, thereby serving as a direct link to the past. Although what might be termed medieval Arabic became the primary language of Muslim high learning and scholarship, certain of the local languages into which the Islamic tradition was translated also became languages of high learning and scholarship. Such was the case, for example, with Persian and Turkish, languages in which Muslim jurists and theologians produced treatises in law and theology, not to mention works of poetry and mysticism.⁴³ Even in Persian and Turkish writings, however, the use of Arabic terms and of neologisms that resulted from the translation of concepts from the original Arabic into Persian and Turkish ensured the “recognition of the presence of the originating language.” Because of the extensive use of untranslated Arabic terminology in both ritual and non-ritual modes of expression, such recognition was and remains arguably greater than that in any other longstanding tradition.

There are thus two types of translation: translation by “same-saying” and translation by “linguistic innovation”. The former is, again, a matter of identifying conceptual parallels between two languages; the latter that of developing a new vocabulary and idiom, albeit within the limitations imposed by the new language. According to MacIntyre, both types of translation may proceed either from one language to another or within a single language. The second type of translation

⁴³ For a good overview of this topic, see Hillenbrand (1999).

proceeds from a particular stage in the historical evolution of a language to a later such stage. The English of Shakespeare, for example, is distinct from that of the BBC, such that those familiar with the latter, but unfamiliar with the former will, upon first encountering works by Shakespeare and others like it, require the kind of interpretative gloss that in effect amounts to translation within one and the same natural language. Although MacIntyre does not here mention it, we can also recognize the possibility of translation between two specialized vocabularies flourishing contemporaneously within a single natural language. Such is the case, for example, with the highly specialized vocabularies characteristic of the various academic fields and disciplines of the humanities and the natural and social sciences, so that audiences unfamiliar with the vocabulary of a particular field or discipline are, depending upon the particular occasion and type of utterance, similarly apt to require what in effect amounts to translation by same-saying and linguistic innovation. Put a Lacanian literary critic in the same room as a British analytic philosopher and they will likely find each other's utterances excruciatingly unintelligible.⁴⁴

MacIntyre stresses the historical, cultural, and institutional particularity of the language of a tradition and draws our attention to the normative and epistemic commitments implicit in the use of such a language. As he puts it,

The conception of language presupposed [here] is that of a language as it is used in and by a particular community living at a particular time and place with particular shared beliefs, institutions, and practices. These

⁴⁴ Teaching, in this respect, can be understood as just such a process of translation. Good teaching is in part a matter of translating the technical ideas and concepts of a field or discipline into a vocabulary readily familiar and accessible to an audience of the conceptually untrained. It is also a matter of stipulating precisely where such translations or explications offer only an approximation of the original ideas and concepts.

beliefs, institutions, and practices will be furnished expression and embodiment in a variety of linguistic expressions and idioms; the language will provide standard uses for a necessary range of expressions and idioms, the use of which will presuppose commitment to those same beliefs, institutions, and practices.

(MacIntyre, 1988: 372-373)

Consider, again, an example not discussed by MacIntyre. In a communal setting more or less defined and shaped by a broadly Islamic system of beliefs, it would be virtually impossible to discuss what one ought or ought not to do without appeal to the categories of the permissible (Arabic: *halal*) and the impermissible (*haram*). However, even to invoke such categories is implicitly to commit oneself to the standards by which each was and is set by the canonical texts, institutions, and practices definitive of the Islamic tradition. Such standards, moreover, vary from one school of Muslim jurisprudence to another, so that it is a matter also of identifying or making explicit which of the different schools is implicit in the use of such core normative categories. There are, after all, disagreements between such schools as to what types of conduct count as permissible and impermissible.

As MacIntyre points out, the limitations to what can and cannot be conceptualized within such communities is imposed by the “language-in-use of those communities,” so that to break with such limitations would, in effect, be to bring about linguistic transformation (1988: 373). MacIntyre’s conception of language, then, is that of languages-in-use. On this view, there is no such thing as English as *such* or Arabic as *such*, but rather English or Arabic as either is spoken and written by the members of one or another historical community. As

MacIntyre puts it, “The boundaries of a language are the boundaries of some linguistic community which is also a social community” (1988: 373).

The point at which translation between the languages and beliefs of two such communities results not in mere linguistic evolution, but rather in linguistic transformation, marks the point at which the relationship between such languages and beliefs is one of untranslatability. This, of course, raises a key difficulty for the project of translation, as such points are not apparent to those who have not mastered both languages. It is precisely for this reason that the above examples of translation, like most examples of translation, are potentially misleading insofar as they do not address the possibility of disagreement about translation—disagreement, that is, about how the beliefs of a particular community are to be represented in a language or idiom other than that in which they were initially expressed. Such disagreements are likely to arise in the encounter between those rival communities in which language and belief are intimately bound up with one another. This raises the question of “how the members of one such linguistic community come to understand the language of some other very different and alien such community,” for it is only through an understanding of each other’s languages that the extent of conceptual difference and, therefore, of the limits of translation can become clear and apparent (1988: 374).

How, then, ought we to go about acquiring another language? According to MacIntyre, learning the language-in-use of another community requires nothing short of a full-scale immersion in the social and cultural world inhabited

by the members of that community. This entails “knowing the culture, so far as is possible, as a native inhabitant knows it, and speaking, hearing, writing, and reading the language as a native inhabitant speaks, hears, writes, and reads it.” In this respect, there is no distinction to be drawn between understanding a culture and understanding its language. Understanding a language, moreover, includes being able to recognize and interpret what is neither expressed nor expressible through mere speaking and writing alone. As MacIntyre puts it, “Gestures, modes of ritual behavior, choices, and silences may all on occasion express utterances” (1988: 374).

The task of learning the language of another culture therefore amounts ultimately to an anthropological task. It requires a provisional suspension of one’s most basic and foundational beliefs and the willingness to allow oneself to be reborn, as it were, in a radically different conceptual, linguistic, and aesthetic universe. As MacIntyre puts it, it is a matter of learning a new language the way a child would learn its first language, which is to say, without the comfort or benefit of any prior language on which to fall back. It is a matter of acquiring what MacIntyre calls a “second first language” (1988: 374). Those who have acquired a second first language are like those bilingual and bicultural persons who were raised from childhood not only to speak and write in more than one language but also to act and interact in more than one social and cultural world.

There are at least three tests for this kind of dual linguistic competence. The first of these is that of possessing the capacity for linguistic creativity within the newly acquired language. In contrast to those who manage their way

through an alien culture with no more than a functional command of its language—the type of command that consists in a practical grasp of the various forms of conventional expression appropriate to certain more or less well defined practical ends—a genuine mastery of another language entails the ability to invoke these and other types of expression for purposes other than those to which they were and are ordinarily intended.

MacIntyre considers as the paradigm for this kind of creative invocation of ordinary expressions the activity of revered poets and lyricists—those to whom the members of a community turn for models of excellence for creative forms of expression of their language. The works of such poets and lyricists provide the members of a community with models of how ordinary and not-so-ordinary expressions might be used in ways that move beyond mere functional use. According to MacIntyre, a mastery of the rhetorical features of such highly regarded works allows for the transition from the mere functional use of a community's language to more creative and aesthetic uses. Such mastery allows for “such distinctions as those between the literal and the metaphorical, the joking, the ironic, and the straightforward, and later, when the going becomes theoretical, the analogical, the univocal, and the equivocal” (1988: 383). In addition to poetic and lyrical texts, there are other key types of authoritative text, those that serve as “essential points of reference” for dialogue and debate within a tradition. A mastery of such texts allows the new language user to engage creatively and dialectically with the members of a tradition on terms set by the tradition itself.

The second test of dual linguistic competence is the ability to recognize where and why concepts in one first language cannot be translated into another first language. Those possessing two first languages will be able to recognize, for example, where each as yet lacks the “resources of concept and idiom” possessed by the other, such that each remains, in different respects, insufficiently conceptually developed and therefore inadequate to conduct the kind of conceptual activity afforded by the other. MacIntyre cites, by way of example, the work of Charles Kahn (1966/2009), who has examined the role of copulae in ancient Greek thought and the difficulties that copulae posed, and still pose, for translations of, for example, the works of Parmenides, Plato, and Aristotle into languages lacking the copulative verb “to be”.

Although MacIntyre does not explicitly mention it, it was precisely this difficulty that medieval Arabic translators confronted upon first encountering ancient Greek thought. Arabic, like Hebrew and other Semitic languages, conspicuously lacks the copulative verb “to be,” so that there was initially no way to translate into Arabic Aristotle’s complex analyses of the relationship between copulae and syllogisms as discussed in the *Metaphysics*. Medieval Arabic translators were therefore forced to invent neologisms to compensate for this limitation. The translation of Greek thought therefore resulted in the conceptual development and enrichment of Arabic, but in such a way as to leave open the question of whether the concept of “being” in ancient Greek held an inferential significance similar or different to that held in the technical language of Arabic philosophy. To this day, those untrained in that technical language would be

unable even to discuss in Arabic ideas and theses afforded by the use of certain types of copulae in Greek and other languages.⁴⁵

For MacIntyre, though, differences in the “resources of concept and idiom” are not the only or even the most significant barriers to translation from one language to another, for there is—again—the possibility that such differences can be practically overcome by the kind of linguistic development and innovation that leaves the overall conceptual structure of a given system of thought more or less intact. A different, and perhaps more severe, kind of difficulty arises in those cases in which the translation of concepts from one language to another inevitably results in the deformation of those concepts, and this precisely because of differences in the conceptual structure and implicit system of values between the two languages. Such differences give rise to disagreements about how the beliefs of one community are to be represented in the language of another. MacIntyre considers as paradigmatic cases of the problem of “contested translatability” three essential features of languages-in-use: 1) the role of proper names, 2) the concepts of ethics, justice, and politics, and 3), the concepts of human psychology, motivation, and action. The first of these features was discussed in the previous chapter, so attention here will be paid to the second and third.

As MacIntyre observes, that two communities are able to agree upon a common subject matter and to agree also that there are substantial differences between the standards and criteria of their respective systems of beliefs, such

⁴⁵ See, for example, Shehadi (1970, 1982).

that each system inevitably results in judgments fundamentally incompatible with those that result from the other, it does not logically follow that they share a common stock of concepts, each with a common inferential significance, the lot of which could guarantee agreement on how to represent each other's beliefs. MacIntyre's interest lies precisely in the encounter between those communities whose languages are so intimately bound up with a highly particular system of beliefs such that they will necessarily disagree on how each other's beliefs are to be represented in each other's languages. So that if the members of tradition A were to represent the beliefs of tradition B in A's particular language-in-use, A could only do so in such a way as to guarantee its rejection by B.

In her book, *Islam and Democracy* (1992/2002), the Moroccan sociologist Fatima Mernissi observes that several of the key concepts of democracy cannot be translated into an Arabic Islamic vocabulary without severe deformation. She notes, for example, that there is no word for "democracy" in Arabic. Thus, the Arabs use the word *dimuqratiyya*, an Arabicized version of the Greek *dēmokratía*. Although the original Greek term literally means, "rule by the people," and although democracy is ordinarily conceptualized as a system of government that serves the interests of the people, in large parts of the Arab world, democracy is paradoxically conceptualized as a threat to the interests of the people (1992/2002: 51-53).

It is also difficult to translate a concept like "head of the republic" into Arabic. "Head of the republic" would be translated as *ra'is al-jumhurriyya*. *Ra'is* means "master of the people," and a violent one at that. The term *al-jumhur*, the

root word for *jumhurriyya*, connotes a horde. When put together, the two words become “a bizarre cocktail in which neither François Mitterand nor George Bush would recognize himself, for what emerges has more to do with an Abbassid imam than anything else” (1992/2002: 71-72). As Mernissi puts it, in the “transition from one semantic system to another,” an otherwise apparently simple political concept is “scarcely recognizable” (72).

Mernissi also observes the difficulty of translating the concept of freedom into an Arabic Islamic idiom without deformation. The closest term in Arabic is *al-hurriyya*, a cognate of the term *al-jumhurriyya*. *Al-hurriyya* connotes disorder, anarchy, and disequilibrium (1992/2002: 49). As Mernissi notes, translating an expression like “freedom to change his religion,” an expression that appears in Article 18 of the Universal Declaration of Human Rights, requires either the invention of an awkward-sounding expression like *haqq hurriyyat taghyir al-diyana* or the use of the term *shirk* (87). The former literally translates into “the right to the freedom to change the religious affiliation.” The latter is the more effective translation and would be more appropriate, but for the fact that *shirk* is classified in Islam as the gravest possible sin. Literally, *shirk* means polytheism. More broadly, it means belief in a god or gods in addition to or other than the god of Islam. Mernissi observes that the concept of freedom “has always had an ambiguous status in Muslim civilization and has never acquired a patent of nobility or become a positive concept” (92). Thus, the various freedoms enshrined in the Universal Declaration of Human Rights “have a strange sound in

a society that fears individuality, seeing it as the source of all disequilibrium” (ibid).

Mernissi also notes that one of the words for “personal opinion” in Arabic is *hawa*, which also connotes desire and “mindless passion” (1992/2002: 89-90). The word for “imagination” in Arabic is *khayl*, which connotes arrogance, defiance, and perversion (93-94). According to Mernissi, “The [traditional Islamic] ban on giving the imagination and the mind free play is rooted in the fear of excessive individuality” (92).

Mernissi’s book provides a stark, if limited, illustration of the enormous difficulties of translating into an Arabic Islamic idiom some, at least, of the key concepts of a Western democratic culture. It illustrates the problem of representing concepts at home in one culture and conceptual system using the idiom of a rival, incompatible, and incommensurable conceptual system. Moreover, it is not just that the concepts of democracy cannot adequately be represented in an Arabic Islamic idiom; it is that they will inescapably be associated with certain psychological states—arrogance, perversion, mindless passion, and so forth—that reveal just one more level of deep conceptual difference.

There are, then, multiple levels of conceptual difference, and differences in one level are only compounded by those in another. Difficulty in representing a community’s concepts of ethics, justice, and politics is tied to that of representing its concepts of psychology, motivation, and action. Each community will necessarily interpret and account for human conduct through a

distinct “language of the genesis of action” (MacIntyre, 1988: 381). What one community interprets as an action motivated by perverse desire another will interpret as perfectly innocuous, perhaps even virtuous. It is precisely these kinds of conceptual differences that will become apparent to those who understand another culture as intimately as they do their own.

The third test of dual linguistic competence is the ability to recognize what inferences implicitly follow from certain types of expression or utterance. It is a matter of being able to recognize what is not explicitly stated and which can only be understood by those who are familiar with a community’s “shared background schemes”. Such schemes

...permit a speaker by saying one thing to give his or her hearers to understand certain other things. By offering one particular explanation of an action a speaker rules out a certain range of alternative explanations. By ascribing a particular virtue to someone a speaker precludes that person’s having a certain range of vices. Understanding what is being denied when something is asserted, or vice versa, in this type of case requires far more than a comprehension of the negation sign.

(MacIntyre, 1988: 381)

To say in a given community that so and so is a good or just person is not only to say that he or she is good or just, but also, by implication, to dissociate him or her from what is bad and unjust. However, to those unfamiliar with a given community’s background system of beliefs, what qualifies as “good,” “bad,” “just,” and “unjust,” would need to be made explicit. Those who understand that background system would, if prompted, be able to make explicit the complex chains of inferences, including ascriptions of psychological states, which necessarily, albeit implicitly, follow from otherwise apparently simple and basic normative judgments.

To summarize the argument so far, where there is conceptual overlap between traditions, understanding between them can proceed by way of translation. Where there is radical conceptual difference between traditions, such that the relationship between them is one of untranslatability, understanding can only proceed by way of learning another language. There are, moreover, practical ways to determine linguistic competence. These include conceptual and linguistic creativity, the ability to identify points of conceptual sameness and difference, and the ability to grasp the inferential significance of various types of assertoric speech. Insofar as the goal of MacIntyre's normative model of communication is that of understanding, it shares something in common with at least certain versions of the transmission model of communication. There are, however, several crucial points of difference.

Differences between MacIntyre's Model and the Transmission Model

According to the transmission model, a speaker or sender targets a specific audience or receiver for the purposes of sending or transmitting a message. Choosing to learn about another culture, however, fundamentally reverses this process. The latter is an *audience-driven* mode of understanding that privileges the sender. Those who were not specifically targeted as an audience choose to become an audience and thereby make the effort to understand the utterances and beliefs of those speaking and writing from within another culture or tradition. Utterances directed to one particular audience may therefore become objects of understanding by another, self-designated audience.

In such cases, it is the audience that targets the sender. Although the key elements are the same—sender, ideas, receiver—the process is fundamentally different.

Nor does learning about another culture presuppose autonomous minds or selves seeking to influence and control similarly autonomous minds or selves, for MacIntyre's conception of mind and self is that of an ever-imperfect and always-dependent mind and self situated partly, if not entirely, within one or another social and historical community. In MacIntyre's order of epistemological explanation, priority is accorded to the social, not the individual. Moreover, the task of learning about another culture does not require seeking to control or influence the members of that culture. Rather, it presupposes an openness precisely to the possibility of being influenced by that culture.

The transmission model also conspicuously overlooks the problem of conceptual and linguistic differences between speaker and audience. It presupposes a common social world in which both speaker and audience may achieve a shared understanding of ideas without having to translate those ideas from one language and conceptual scheme into another. The transmission model may be appropriate to understand speech activity between speakers and audiences inhabiting a common conceptual and linguistic world. It is, however, fundamentally inadequate to account for understanding between such worlds.

To have achieved an understanding of another tradition, however, whether through translation or the learning of another language, is not as yet to have engaged dialectically with that rival tradition concerning that on which they

disagree. To engage with a rival tradition in this respect is to enter into creative conflict with that tradition. It is to enter into the kind of argumentative dialogue from which one tradition or the other would ideally emerge as rational victor. For MacIntyre, communication and dialogue are therefore two distinct types of activity.

MacIntyre on Dialogue Between Traditions

One of the principal theses that emerges from MacIntyre's account of conflict between traditions is that there is no universal, tradition-independent language through which to mediate between traditions in conflict. There are, rather, only so many languages-in-use, and it is only through such languages-in-use that a dialogue between traditions in conflict can proceed. What MacIntyre calls "the internationalized languages of modernity"—languages such as the de-jargonized versions of English, French, and Spanish characteristic of contemporary international news media—can at most afford is a limited medium for the mutual translation and understanding of each other's traditions. The point at which such languages are unable to serve as just such a medium is the point at which their utility is all but exhausted. It is for this reason that a dialogue between two traditions in conflict will have to proceed not on the basis of a common language, but rather on that of *two* languages. MacIntyre in effect proposes an expanded conversation that, while retaining a single point and purpose, is nonetheless inclusive of more than one language and perspective. A

conversation guided by a common primary perspective need not preclude the possibility of secondary differences in perspective.

According to MacIntyre, moral disagreement ought to be understood as a conflict between

...a set of rival intellectual positions, a set of rival traditions embodied more or less imperfectly in contemporary forms of social relationship and a set of rival communities of discourse, each with its own specific modes of speech, argument, and debate...

(MacIntyre, 1988: 391)

Because of the semantic and conceptual particularity of each such “community of discourse,” the appeal to one or another of the internationalized languages of modernity serves only to dissolve that particularity to the point of undermining the task of speaking to a tradition-specific audience. As MacIntyre puts it, “The wider the audience to whom we aspire to speak, the less we shall be able to speak to anyone in particular” (1988: 393-394). Thus, to speak to a tradition-specific audience requires that we speak in the tradition-specific language of that audience—what for us would necessarily be a second first language.

This entails a certain critical feat of the imagination, whereby we place ourselves “imaginatively within the scheme of belief inhabited by those whose allegiance is to the rival tradition” (1988: 395). What separates us from those who actually inhabit that scheme is that we speak and reason through the concepts afforded by that scheme without actually endorsing them or it. We will, that is, make provisional use of such concepts

...in the way in which an actor speaking his part may say things which he or she does not in his or her own person believe. We possess such concepts without being able to employ them in the first person, except as dramatic impersonators, speaking in a voice which is not our own.

(MacIntyre, 1988: 395)

It is through acts of “empathetic conceptual imagination” (ibid) that we may enter into another community of discourse so as to speak and reason with the members of that community on terms set by that community. This, of course, is, in principle, a mutual process, for if the members of that rival community are, in fact, committed to truth and the rational justification of their tradition, then they will similarly enter into the communities of discourse with which they are in conflict. If dialogue between the adherents of rival and competing traditions proceeds on the basis of rival and competing languages-in-use, each conceptually oriented toward the justification of its own claims, what, then, is the point and purpose of such dialogue?

The point is to determine 1) which of the rival traditions is better able to explain *why* they are in conflict, as opposed to being able merely to catalogue the specific claims in conflict; this requires that one of the traditions possess the explanatory power to account for the conceptual limitations of the other; 2) which of the rival traditions, *therefore*, possesses the conceptual resources adequate to the task of furnishing a rational answer to the conflict. For the members of one tradition to be able to explain why they are in conflict is to be able to provide the members of the rival tradition with a perspective they could not have achieved through the conceptual apparatus afforded by their tradition. To quote Julia Annas from her review of *Whose Justice? Which Rationality?*, a dialogue between traditions is not a matter of “any knockdown argument.” It is, rather, that

“one position can explain better than the other the nature of the disagreement and its superiority in resolving it” (Annas, 1989: 392-393).

MacIntyre characterizes dialogue between traditions in terms of the medieval practice of disputation. The aim of disputation is to discover which of a given set of rival and incompatible claims is rationally superior. Disputation is a dialectical process, in which one side issues challenges to the other side and invites that other side to issue such challenges in turn. It is in part a matter of formulating the claims of one's own tradition in such a way as to leave them “maximally open to the possibility of refutation” (MacIntyre, 1994b: 144). It is a matter, that is, of openly and candidly acknowledging the conditions under which one's tradition may be rationally defeated. If the members of a tradition are committed to the rational justification of their tradition and, further, to the tradition-transcendent ideal of truth, then they will necessarily be responsive and attentive to criticisms and objections issued by outsiders. They will have to be prepared for the possibility that such criticisms and objections may very well be of such a force as to generate an epistemological crisis. If there are no conditions under which a tradition can be refuted, then neither are there any conditions under which it can be vindicated. To seal off a tradition into a self-enclosed space of discourse is to exhibit precisely the kind of deafness and unresponsiveness to counter-reasons and counter-claims that MacIntyre would identify as a species of dogmatism and irrationality. Such deafness and unresponsiveness only invite the arbitrary exercise of will and power between communities in conflict.

The kinds of questions which the adherents of one tradition will pose to those of another will be determined by the specific points of incompatibility between them. There is no pre-determined way to go about a dialogue between traditions. If, for example, a given tradition permits the male members of society to exercise certain forms of power and authority over their female counterparts, and if a rival tradition categorically prohibits this type of differential power relationship, then the kinds of questions that each will pose to the other will be determined by the particular reasons each brings to bear upon its particular judgments concerning this common subject matter. The tradition that permits a power disparity between men and women might attempt to justify that permission by, for example, deploying empirical theses concerning human biology or psychology. The adherents of the rival tradition may respond by disputing such theses and their implications and by demonstrating the possibility of an alternative worldview in which the concerns that motivated the permission for differential power relations are all but dissolved, thereby depriving the other side of any justification for its original claims.

It is therefore a matter of whether each tradition possesses the resources to answer challenges, not just to specific claims, but also to its overall validity, and thereby to vindicate itself against such challenges. It may be that a tradition, whether through self-evaluation or evaluation by external critics, is found to be lacking in the resources to answer such problems. Moreover, it may be discovered that it is due precisely to such a lack of resources that a tradition invariably yields answers suffering either from logical inconsistency or from

empirical inaccuracy, and that each attempt to answer such problems proves only to continue and compound those very problems. As MacIntyre puts it,

When we find that the adherents of a particular standpoint, confronted by this type of persistent and intractable problem, can only avoid resourcelessness at the cost of incoherence, that if enough is said to be practically useful, too much has to be said to remain practically or theoretically consistent, a question is always thereby posed to the adherents of that particular standpoint, whether they recognize it or not, as to the extent to which it is the limitations imposed by their own conceptual and argumentative framework which both generate such incoherences and prevent their resolution.

(MacIntyre, 1994a: 71)

Why might the adherents of a tradition be unable to recognize that it is “the limitations imposed by their own conceptual and argumentative framework which both generate such incoherences and prevent their resolution”? Such a lack of recognition would be the consequence of not having acquired a second first language and therefore of being unable to understand and evaluate one’s own tradition from the standpoint of a rival tradition.

As MacIntyre concedes, however, there is no guarantee that traditions in conflict will be able to resolve their differences by learning each other’s languages. It may be, for example, that in so learning, neither is convinced that the other is able to provide a superior perspective for making sense of their conflict, in which case neither will have good reasons to renounce its own claims, let alone endorse those of its rival (MacIntyre, 1994a: 72-73). It may, however, on occasion be the case that in learning about another tradition, one discovers a conceptual system able not only to withstand critical objections, but able also to provide precisely the kind of perspective from which to make sense of the limitations and inadequacies of one’s own tradition. Such moments of discovery

are not like the quasi-religious conversion experiences invoked by Kuhn in *The Structure of Scientific Revolutions*—experiences in which one shifts from one scientific paradigm to another in a manner that can only be described as arbitrary, such that the relationship between that part of one's life prior to conversion to that after is one of marked discontinuity. Rather, in discovering a superior tradition, one finds that one is able to reinterpret one's life in the light of an overall framework through which to make sense of one's intellectual development and evolution. Put simply, one is able to provide an intelligible narrative of one's life in such a way as to explain what one now takes to be past errors in belief and judgment.

CHAPTER FIVE

Dialogue and Dissemination

John Durham Peters and the Critique of Dialogue

In light of MacIntyre's argument for dialogue between traditions, it is worth considering a notable critique of dialogue by the contemporary communication theorist John Durham Peters. In his book, *Speaking into the Air* (1999), Peters attempts both a history of the idea of communication and a radical rethinking of our common or intuitive ways of conceptualizing communication. Peters contends that the historically dominant conception of communication has, from Plato until the present, been that of the marriage or unity of minds and souls. It is this dominant conception, says Peters, that has contributed to a certain anxiety about the very possibility of communication in the modern world. Peters' aim in *Speaking into the Air* is to interrogate this dominant conception so as to furnish a more "just" and "ethical" alternative. As he puts it, his project is

...at once a critique of the dream of communication as the mutual communion of souls, a genealogy of sources and scenes of the pervasive sense that communication is always breaking down, and a reclamation of a way of thinking that avoids both the moral privilege of dialogue and the pathos of breakdown.

(Peters, 1999: 1)

Upon reviewing a number of common conceptions of communication, as well as a number of modern paradigms of communication theory, Peters suggests that the two "most influential" communication theorists of our time are "probably Jürgen Habermas and Emmanuel Levinas" (1999: 20). The former Peters associates with an instrumental view of communication; the latter with a

decidedly anti-instrumental view. Although Peters is clearly more sympathetic to the priority that Levinas accords to the ethical over the rational, he suggests that the paradigms represented by Habermas and Levinas respectively are fundamentally inadequate. “The one position,” says Peters, “has too much gravity while the latter floats in a zero-gravity chamber” (1999: 21).

Taking his cue from William James, Peters insists that the idea of communication as the marriage or unity of minds and souls is not only impossible, but that it ought to be renounced altogether. The “task,” as he puts it, is “to find an account of communication that erases neither the curious fact of otherness at its core nor the possibility of doing things with words” (1999: 21). To this end, he proposes a “middle position,” in which priority is not generically and uncritically accorded to dialogue, and in which recognition and appreciation of difference is affirmed by “acknowledging the splendid otherness of all creatures that share our world” (31). He associates this middle position with James, Paul Ricoeur, Hans-Georg Gadamer, and Ralph Waldo Emerson.

Peters makes his middle position explicit in a chapter entitled, “Dialogue and Dissemination.” He begins with the observation that dialogue is all-too-often “held up as the summit of human encounter, the essence of liberal education, and the medium of participatory democracy” (1999: 33). He sees a competition between dialogue and “the one-way communiqués of mass media and mass culture” (ibid). Dialogue, believes Peters, is widely celebrated for its ideal of reciprocity, whereas the mass media are deplored precisely for their lack of such reciprocity. Peters insists that this exceedingly facile view overlooks the many

pitfalls of dialogue and the many advantages of one-way communication, or what Peters terms “dissemination”. Challenging conventional habits of thought, Peters affirms the potential for dialogue to be “tyrannical” and dissemination to be “just” (1999: 34). As he puts it,

The strenuous standard of dialogue, especially if it means reciprocal speech acts between live communicators who are present to each other in some way, can stigmatize a great deal of the things we do with words. Much of the culture is not necessarily dyadic, mutual, or interactive. Dialogue is only one communicative script among many. The lament over the end of conversation and the call for refreshed dialogue alike miss the virtues inherent in nonreciprocal forms of action and culture. Life with others is often a ritual performance as a dialogue. Dialogue is a bad model for the variety of shrugs, grunts, and moans that people emit (among other signs and gestures) in face-to-face settings. It is an even worse normative model for the extended, even distended, kinds of talk and discourse necessary in large-scale democracy. Much of culture consists of signs in general dispersion, and felicitous communication—in the sense of creating just community between two or more creatures—depends more basically on imagination, liberty, and solidarity among the participants than on equal time in the conversation.

(Peters, 1999: 34)

Peters elaborates upon the differences between dialogue and dissemination by comparing and contrasting what he takes to be their paradigmatic representatives. He identifies Socrates as “the greatest proponent of dialogue” and Jesus as “the most enduring voice of dissemination” (1999: 35). Peters in effect sets Socrates in competition with Jesus, so as to demonstrate the “blessedness” of dissemination and its supposed moral superiority over dialogue.

According to Peters, the nature of dialogue is best illustrated by the character of Socrates in Plato’s the *Phaedrus*. The moral lesson of the *Phaedrus*, says Peters, is not simply that face-to-face dialogue is a superior means of guaranteeing the purity or authenticity of a message—superior, that is,

to the mediated form of one-way communication afforded by writing. According to Peters, the *Phaedrus* more crucially illustrates one of the most enduring features of the human condition, namely, “the fierce longing for contact with an untouchable other” (1999: 37). Thus, the *Phaedrus* is not simply a commentary on the consequences of technology upon communication; it is also an extended meditation upon “love” and “mutuality” (ibid). It represents the human desire to connect with one another on a deep and profound level. As Peters puts it, dialogue for Socrates “is not just the matching of minds, but the coupling of desires. Eros, not transmission, would be the chief principle of communication” (ibid). Thus, at its heart, dialogue is motivated by the desire for an intimate coupling between souls, minds, and bodies.

Peter’s description of dialogue is that of a speaker planting seeds in the minds or souls of a target audience and ensuring that such seeds develop according to certain desired results. The metaphor of planting seeds figures prominently in Peters’ descriptions of dialogue and dissemination. The ideal of dialogue, says Peters, reveals a certain anxiety over seeds scattered randomly, missing their targets, and developing to unpredictable ends. It is the anxiety of messages missing their audience, getting lost in transit, and not being correctly interpreted, if, indeed, they actually reach their intended audience at all. Thus, one of the lessons of the *Phaedrus* is that *eros* requires a rational and calculated effort to select a target audience in whom to plant seeds, the growth and development of which demands careful monitoring and control to guarantee their conformity to certain pre-determined outcomes.

However benign the intention of those who so wish to plant seeds in the minds and souls of others, they ultimately violate the sovereignty of those others by imposing an external will and desire, and by preventing them from freely and independently interpreting the content of a message according to their own lights. Peters' description of dialogue is much like that of a zealous and overprotective mentor seeking desperately to ensure at all costs that a student will eventually think and believe exactly as the mentor thinks and believes. The love of the mentor thus has the potential to suffocate and imprison the student within the confines of the mentor's mind and soul.

In contrast to Socrates and the ideal of reciprocal dialogue, Peters presents the figure of Jesus as portrayed in the synoptic Gospels as the embodiment of a very different "vision of love and communication" (1999: 51). What Socrates takes to be the dangers of lost messages, missed audiences, and unpredictable interpretations, Jesus celebrates as the possibility of random individuals reaping the benefits of a message addressed to everyone and no one in particular. For Peters, the parable of the sower as presented in the Gospels of Mark, Luke, and Matthew is the "archparable of dissemination." It represents "a mode of distribution that is as democratically indifferent to who may receive the precious seeds as the *Phaedrus* is aristocratically selective" (51). Thus, whereas dialogue is exclusive and elitist, dissemination is categorically all-inclusive and egalitarian. Peters expresses the significance of the archparable as follows:

The parable of the sower is a parable about parables. Like the *Phaedrus*, but on a far more concentrated scale, the parable enacts its point in the form of its saying, performing its own *modus operandi*. The diverse audience members, like the varieties of soils, who hear the parable as told

by the seashore are left to make of it what they will. It is a parable about the diversity of audience interpretations in settings that lack direct interaction. It examines the results when sender and receiver, sower and eventual harvest, are loosely coupled. In contrast to the *Phaedrus*, which at key points is nervous about the folly of scattered seeds and the dangers of promiscuous couplings, the parable of the sower celebrates broadcasting as an equitable mode of communication that leaves the harvest of meaning to the will and capacity of the recipient. Though much is thrown, little is caught. And the failure of germination is not necessarily something to lament.

(Peters, 1999: 51-52)

Thus, dialogue as idealized by Socrates in the *Phaedrus* is devoted rather explicitly to the control of interpretation. On the other hand, dissemination as idealized by Jesus in the Gospels leaves the burden of interpretation entirely to the audience. Moreover, the use of parables “turns out to be a cloaking device, a means to keep people from understanding the doctrine.” Those who speak in parables deliberately leave their message unclear and incomplete. Only those recipients who possess a certain prior understanding will thus be in a position to fill in the “hidden” and “missing” details (1999: 52-53).

In addition to respecting the sovereignty of the interpretive abilities of the audience, dissemination also offers the possibility of suspending the reciprocity of dialogue. Peters sees something oppressive in rational and systematic modes of speech and interaction. Like Gandhi, he deplores the logic of “an eye for an eye and a tooth for a tooth” (1999: 56). Endless reciprocity, believes Peters, creates an intolerably dull and monotonous world. As he puts it, “If no question could be left unanswered and every question was posed with the demand for a response, what boredom and tyranny would result” (ibid). Peters therefore presents dissemination as a kind of humanizing check upon the potentially

endless cycle of reciprocal dialogue. Part of the problem, he insists, is the impulse to respond to each and every message, thus perpetuating the cycle of endless reciprocity. Instead, he invokes the Christian principle of turning the other cheek, which he describes as “the majesty” of “nonresponsiveness” (1999: 57).

As an alternative to the principle of reciprocity, Peters draws from Pierre Bourdieu’s analysis of the gift-giving model of social exchange to propose a giving-giving model of communication. Thinking of communication as acts of giving and receiving gifts, Peters suggests, allows for the possibility of rising above the endless cycle of reciprocal dialogue. As he puts it,

All gifts come with strings attached, but acknowledgement of that fact is banned. Such failure to recognize allows suspension in the webs of credit and debt. The gift enables a moral economy of loops, suspensions, and deferments, interactions that can be strung out over long expanses of time. It is certainly an economy, but one that plays by rules other than strict reciprocity.

(Peters, 1999: 58)

Thus, according to a gift-giving model of communication, we need not view each and every message or act of communication as necessarily warranting a response. The gift-giving model of social exchange therefore offers an alternative moral vision of communication.

Peters does not seek merely to rehabilitate dissemination. He goes much further than this by 1) explicitly identifying dissemination with Christianity and 2) affirming dissemination’s moral superiority over dialogue. As he puts it, “several elements in the Christian tradition offer dissemination as a mode of communicative conduct equal or superior in excellence to dialogue” (1999: 53).

He argues that the “moral ideal” of reciprocity is “insufficient” (1999: 61). “The Christian doctrine of communication,” says Peters, “is a doctrine of broadcasting” (61). The Christian doctrine of communication offers a much loftier moral ideal, for it “celebrate[s] gifts given without care for reimbursement” (ibid). Although dialogue is commonly thought to be the best model of communication, “dissemination presents a saner choice for our fundamental term.”

Dissemination is, moreover, an altogether better model for communication in a pluralistic world. As he puts it, “Dissemination is far friendlier to the weirdly diverse practices we signifying animals engage in and to our bumbling attempts to meet others with some fairness and kindness” (62). Invoking the human condition once again, Peters declares that dissemination “is our lot” (ibid).

Critique of a Critique

It is rather odd that Peters should repeatedly announce a “task” without reference to a specific audience and without reference also to specific contexts of purpose in which such tasks might be made intelligible. “The task today,” says Peters at one point, “is to renounce the dream of communication while retaining the goods it invokes” (1999: 21). “The task,” he says later, “is to find an account of communication that erases neither the curious fact of otherness at its core nor the possibility of doing things with words” (ibid). Later still, he says, “Too often, ‘communication’ misleads us from the task of building worlds together” (30). We are then told, “The task is to recognize” the “splendid otherness of all creatures,” as opposed to making such creatures over into “one’s own likeness and image”

(1999: 31). “Communication,” says Peters in his concluding remarks, “is ultimately unthinkable apart from the task of establishing a peaceable kingdom in which each may dwell with the other” (268).

The peculiar generality of such tasks raises an obvious question: for whom and for what purpose does Peters announce these many and various tasks? Tasks are, after all, unintelligible apart from specific social and material contexts, each marked by a particular point and purpose. What, exactly, are these contexts? Peters refers in one instance to “establishing ways to share one’s hours meaningfully with others” (1999: 30). In another instance, he refers to “our most vexing puzzles,” failing to say what, exactly, those puzzles are (ibid). He mentions the “burden” faced by “husbands and wives, diplomats and colleagues” (ibid). “Communication,” he says, “sometimes masquerades as the great solution to human ills, yet most troubles in human relationships do not come from a failure to match signs and meanings” (269). He refers to “relations among friends, colleagues, and loved ones,” insisting that their “failure to communicate” is no more than “a divergence of commitment or a deficit of patience” (ibid). Indeed, Peters seems to speak to anyone and everyone with an interest in the idea of “communication,” regardless of the particular circumstances that motivate that interest.

The problem, of course, in speaking to everyone in general is that Peters speaks to no one in particular. His many tasks are simply unintelligible apart from his role as a communication scholar proposing a general model of communication that stands above the vast and dizzying fray of rival and

competing such models. In doing so, however, Peters commits two sorts of error: 1) theorizing about communication in universal terms and 2) assigning a distinctly scholarly task to humanity at large.

The first error is possible only by detaching the concept of “communication” from the various types of social and material context that furnish that concept with its initial—and not always compatible—forms of semantic content. It is not always clear, for example, that what is meant by “communication” in one type of circumstance is the same as that in another. Husbands and wives may very well have trouble “communicating” with each other. However, it is not at all clear that this type of “communication” is the same as that of, say, a group of scientists engaged in the social practice of enquiry or a group of lawmakers collectively deliberating about matters of legislation or public policy. Peters theorizes about communication in abstract and general terms, only to assert his ideal model of communication as an answer to anyone and everyone with an interest in “communication,” regardless of their specific contexts of purpose. Thus, dissemination becomes a kind of cure-all for marriages and democracy alike, even though the types of challenge they respectively face are hardly one and the same.

The risk of speaking in general and universal terms to a general and universal audience is that of speaking past specialized audiences suitably invested in highly specific types of social and material context, each characterized by a very specific point and purpose. It is entirely unclear, for example, what material advantage dissemination offers to those suitably invested

in fundamental and intractable moral disagreement about matters of social and political concern. To quote MacIntyre, albeit from a slightly different context, “The wider the audience to whom we aspire to speak, the less we shall be able to speak to anyone in particular” (1988: 393-394). *Speaking into the Air* thus seems to be a case study in speaking to no one in particular—except, perhaps, those similarly invested in a general or universal theory of communication. It is only through such theorizing that Peters can arbitrarily declare that the “dream of communication” ought to be renounced altogether. *Speaking into the Air* rests upon a certain *petitio principii*, namely, the self-fulfilling premise that “we can never communicate like the angels.” Defining “communication” in such a way as to guarantee its impossibility in advance thus makes the proposal for a more “just” and “ethical” alternative just a little too easy and convenient.

MacIntyre’s theory of communication, however, begins from a very different premise, namely, Davidson’s observation that the recognition of difference presupposes a larger background of commonality. This key Davidsonian insight quite categorically undermines Peters’ “sunder vision” of “the felicitous impossibility of contact” (1999: 29). The very idea of the “impossibility of contact” is predicated upon a black and white dichotomy between absolute contact and no contact at all. It is this kind of absolutist thinking that Davidson and MacIntyre alike throw into question with their respective theses concerning understanding and communication between languages and conceptual schemes. In their view, a minimum of commonality and contact is an inherent feature, not a consequence, of communication.

Peters' foundational error is to abstract individuals out of their social and linguistic settings only to suppose that contact between individual "minds" and "souls," if possible at all, would—perforce—have to be a consequence of communication.

The very appeal to individual "minds" and "souls," however, requires a certain obliviousness to the epistemological priority of the social institution language. According to Davidson and MacIntyre, there are no "minds" prior to, or independent of, the social institution of language. It is for this reason that MacIntyre in particular elevates the social and the linguistic over the individual and the psychic, and it is for this reason also that MacIntyre sees the principal challenge of communication as that between social and linguistic communities, not that between individual "minds" and "souls". To define communication as that between "minds" and "souls" is symptomatic precisely of the kind of liberal individualist and atomistic thinking that MacIntyre rejects in *After Virtue*.

Moreover, although Peters identifies his work with the pragmatist tradition, his black and white thinking about the very possibility of communication reproduces the kind of false dualisms that pragmatism famously rejects. Classical pragmatists such as John Dewey and George Herbert Mead are well known for their rejection of unitary and self-standing minds. It was, in fact, Mead's invaluable insight that minds and selves arise precisely through social and linguistic interaction—in a word, communication. According to Mead and Dewey, there are no pre-social, pre-linguistic, or, as it were, pre-communicative minds. This is not, of course, to say that there can be no such thing as private or

individual thoughts. It is, however, to say that such thoughts are, in the end, parasitic upon the social and public medium of language.⁴⁶ In light of this well-known pragmatist thesis, it is somewhat odd that Peters should invoke the idea of “the impossibility of immediate communication between minds” (5). By appealing to a false and misleading conception of mind as independent of language and communication, Peters relies upon the kind of Cartesian reasoning against which the pragmatist tradition was explicitly founded.⁴⁷

Peters repeats the same type of error in his accounts of dialogue and dissemination. Just as he theorizes about “communication” in the abstract, so, too, does he theorize about “dialogue” and “dissemination” in the abstract, that is to say, detached from specific contexts of purpose. The consequence is 1) a grossly oversimplified account of dialogue and 2) a false competition between two imprecise abstractions. There are, for instance, radically different types of

⁴⁶ This is, in fact, the principal theme of Mead’s classic, if badly edited, *Mind, Self, and Society* (1934/1967). For an account of Dewey’s philosophy of mind, see Cambell (1995: 25-66), who notes that Dewey’s views basically mimic those of Mead.

⁴⁷ It is, incidentally, very much worth noting that Davidson acknowledges a parallel between his views on mind, language, and communication and those of Dewey and Mead. See, for example, the interview with Davidson in Borradori (1994: 48). In that same interview, Davidson describes his views on the priority of language and communication as follows: “This notion of thinking implies interdependence in the sense that you cannot attribute propositional content to creatures that don’t have speech. At first, I just tried to argue for this by saying that there was no reason to say that a creature had the concept of the way things seem, as opposed to the way things are, unless there was intersubjective communication. More recently, I have argued for this more directly by saying that the whole idea that one’s reactions are to objects in the world, situations, and events, rather than, let’s say, just responses to stimulation of nerve endings, depends on our being in communication with other people who are interacting with the same things. Obviously, what allows our interaction with other people is not based on the stimulation of our nerve endings, or anything subjective at all, but on the events to which we are exposed in the outside world” (ibid). Thus, according to Davidson, contact between human minds is not just possible, it is an inescapable condition of having any thought at all. For a more formal, detailed, and systematic account of Davidson’s arguments concerning the priority of language and communication over mind and thought, see the collection of essays in Davidson (2001).

speech activity to which the term “dialogue” may rightly be applied: the social practice of enquiry; formal sessions by a deliberative body, such as a court of law, congress, or parliament; town hall meetings; formal and informal public debates; polemical exchanges between political adversaries; board meetings; police and military interrogations; press conferences; academic conferences; interviews; classroom discussions; phatic exchanges between family and friends; and so forth—the list could easily be extended. Each such speech activity is motivated by a particular kind of practical circumstance. Peters, however, theorizes about dialogue in abstraction from the variety of such circumstances to arrive at a remarkably narrow conception of “dialogue”.

Regardless of the merits of his reading of the *Phaedrus*—and it is a reading that is by no means immune from critique⁴⁸—the conception of dialogue that emerges from that reading clearly fails as a systematic account of the wide range of speech activities to which the term “dialogue” may be applied.

According to Peters, the *Phaedrus* “offers one horizon of thinking about human discursive activity,” namely, “the erotic life of dialogue.” It would have been more accurate to say that his personal reading of the *Phaedrus* offers at best one horizon of thinking about dialogue, not discursive activity as such. There are other ways of thinking about dialogue, such as the rich and detailed analyses of dialogue by Gadamer in *Truth and Method* (1989) and *Dialogue and Dialectic*

⁴⁸ I would argue, for instance, that the *Phaedrus* is an extended meditation upon the differences between oral speech and writing, not dialogue and dissemination. A public speech need not be viewed as a dialogue, nor should writing be viewed solely as a one-way form of communication. Peters limits the possibilities of communication to either face-to-face dialogue or one-way communication through mass media. He oddly does not acknowledge the possibility technologically mediated dialogue, particularly that afforded by mass media.

(1980).⁴⁹ Nowhere does Peters reference the vast literature on dialogue.⁵⁰ His mistake is to treat his particular interpretation of the *Phaedrus* as an exhaustive account of the nature and structure of dialogue, and thereby to critique dialogue on the basis of that account.

Peters' thus sets "dialogue" and "dissemination" in competition with each other without reference to specific contexts of purpose in which the merits of either might be critically evaluated or assessed. He speaks in terms so vague and general as to leave the theoretical and practical value of his argument for dissemination entirely unclear. To suggest that dissemination is "superior in excellence to dialogue" (1999: 52) is only to beg the question: superior in what respect? Peters suggests that dissemination is "most apt for a democratic polity and ethical life" (35). He does not make explicit, however, what exactly he means by "democratic polity" or "ethical life". Just as there is no single model of dialogue, for example, so, too, is there no single model of democracy. There are, rather, rival and incompatible models of democracy.

Jürgen Habermas (1996) has notably distinguished between at least three normative models of democracy: liberal, republican, and deliberative. According to Habermas, justice in a liberal democracy is a matter of sheer voting. In the absence of shared standards of justice and rationality, there are no checks and balances against private persons colluding to maximize private interest to the detriment and exclusion of other private persons. Justice in the liberal model

⁴⁹ It is, incidentally, somewhat odd that Peters should align himself with Gadamer when Gadamer's own writings are well known for their celebration of dialogue.

⁵⁰ For a decent, if limited, overview of the scholarly literature on dialogue, see Anderson, Baxter, and Cissna (2003).

becomes, as it were, a matter of the market. In the republican model, justice is based on a prior conception of the common good. Although politics is mediated by a more or less concrete set of ethical standards, such standards are themselves treated as final and authoritative. The republican model of democracy thus betrays a certain kind of arbitrariness in favour of one idiosyncratic conception of justice over another. In a deliberative model of democracy, however, justice is the outcome of formal procedures of deliberation—in a word, dialogue. Peters' suggestion that dissemination is "most apt for a democratic polity" therefore begs the question: which type of democratic polity and why? Nowhere does Peters acknowledge the variety of democratic models of government, let alone justify the practice of dissemination in one particular such model as distinctly opposed to that in another. If Peters' demotion of dialogue amounts to a rejection of the deliberative model, he then necessarily carries the burden of justifying a rival model and defending it against the kinds of criticisms that generated the deliberative model in the first place.

Peters' remarks about an "ethical life," "justice," and "creating just community between two or more creatures," suffer from a similarly debilitating ambiguity. The appeal to such bland and generic categories raises, again, a question about arbitrariness: which ethical life? Whose justice? What kind of just community? The problem in appealing to such generic categories is precisely that of fundamental disagreement over what, exactly, such categories supposedly entail. How, for example, ought "two or more creatures" to create a "just community" if such creatures cannot agree on the norms of a just

community? More to the point, how are they to choose between competing conceptions of a just community *other* than through the medium of dialogue? Is fundamental disagreement over matters of ethics and justice not precisely a reason for dialogue? Again, these are questions Peters does not ask, let alone answer.

Moreover, the argument for a gift-giving model of communication as an alternative to the tyranny of endless reciprocity misses an obvious and fundamental feature of ordinary linguistic practice: the speech-act of assertion functions as a claim to truth and therefore as an object of agreement and disagreement; the act of gift-giving, strictly speaking, does not. The gift-giving model of social exchange is, put simply, a misleading analogy for the use of language. According to MacIntyre, to make an assertion is to make an entry move into the dialectical game of theoretical enquiry. MacIntyre follows Aristotle in holding truth to be the end or *telos* of such enquiry (MacIntyre, 1994a: 58). He observes that every act of assertion incurs a certain set of epistemic obligations and commitments, which necessarily inform the normative background of the social practice of enquiry. It is precisely such obligations and commitments that defy the gift-giving model of social exchange.

So, for example, to assert p is not only to take p to be true, it is also to incur a commitment to the rational justification of p . MacIntyre also invokes the principle of bivalence, which he treats as a fundamental feature of ordinary linguistic practice. Thus, to assert p is implicitly to assert that $\sim p$ is false. Moreover, to incur a commitment to the rational justification of p is also implicitly

to commit oneself to the possibility that $\sim p$ might be true, for all claims to truth presuppose the possibility of their opposites (MacIntyre, 1994a: 58-59). It is not, of course, that those who assert p will always explicitly acknowledge such epistemic commitments, let alone act upon them; it is, rather, that such commitments are an implicit feature of ordinary linguistic practice, whether they are recognized or not. It is precisely such commitments that provide an answer to Peters' charge of endless reciprocity. Again, MacIntyre affirms that the social practice of moral discourse or enquiry is guided by the ideal of truth. "Successful enquiry," says MacIntyre, "terminates then in truth" (58).

Peters commits the conceptual error of treating reciprocity as the end or *telos* of dialogue. If reciprocity, and not truth, were the end or *telos* of each and every type of speech activity to which the term "dialogue" were applied, then "dialogue" would indeed have no conceivable terminus other than arbitrary suspension. However, in taking truth, not reciprocity, to be the end or *telos* of enquiry, MacIntyre does indeed affirm a terminus for at least that particular type of speech activity motivated by fundamental disagreement over matters of social and political concern: rational moral discourse between the adherents of rival and incompatible systems of belief. If disagreement motivates such discourse, then agreement motivates its termination. Thus, it is not just that the gift-giving model of social exchange fails as a model of linguistic communication; it is also that the gift-giving model is entirely irrelevant and unnecessary, for the social practice of discourse and enquiry presupposes rational standards for its own termination.

There is, thus, a distinction between rational termination and arbitrary suspension and Peters provides no good reason to privilege the latter over the former.

Whose Christianity?

Perhaps the most severe weakness in Peters' case for dissemination, however, is his contention that the "Christian doctrine of communication is a doctrine of broadcasting" (1999: 61). Peters repeats, once again, the pattern of speaking in abstract generalities without adequate reference to the relevant texts and historical practices that might confirm or disconfirm his argument. Anyone, for instance, who has read the synoptic Gospels will readily concede that the utterances attributed to Jesus therein are hardly limited to the dissemination of parables. The multiple encounters between Jesus and the Pharisees, to take the most obvious example, are mediated not by parables, but rather by heated and antagonistic dialogues—dialogues in which Jesus famously refers to the Pharisees as a "brood of vipers".⁵¹ It is by no means a trivial fact that the popular image of the Pharisees, both historically and well into the present day, owes in no small measure to the graphic accounts of unsavory polemical exchanges between Jesus and the Pharisees in the synoptic Gospels. To this day, the terms "Pharisaic" and "Pharisaical" remain synonymous with "self-righteousness" and "hypocrisy". Moreover, it has long been understood that the harsh language

⁵¹ See, for example, Matthew 3:7, Matthew 12: 34, Matthew 23:33, and Luke 3:7. In her critique of Peters, de Feijter (2007: 262-268) points out several passages in the synoptic Gospels in which Jesus engages in dialogue with followers and rivals. Such passages, she rightly points out, undermine the image of Jesus as a representative of a purely disseminative model of communication.

used by Jesus in his decidedly unloving dialogues with the Pharisees was an early source of Christian anti-Semitism.⁵² The Gospel accounts of Jesus debating the Pharisees thus undermine the portrait that Peters paints of a loving Jesus who speaks only in parables. Surprisingly, Peters makes no reference to the Pharisees in his analysis of dissemination.

The problem of declaring the “Christian doctrine of communication” a “doctrine of broadcasting” is only further compounded by certain periods in the history of Christian thought and practice. Although *Speaking into the Air* is subtitled *A History of the Idea of Communication*, there remain a good thousand years of relevant history missing from the book. Peters manages somewhat inexplicably to jump from St. Augustine to John Locke with no more than the briefest discussion of St. Thomas Aquinas in between. For all the emphasis upon Jesus and the Christian tradition, the conspicuous lack of historical attention to medieval Christianity is puzzling, to say the least. The high middle ages notably stand as one of the defining periods in the history of the Catholic tradition. The medieval culture of scholasticism to which Aquinas belonged represents a rich episode in the history of communicative thought and practice. It is also the era to which MacIntyre turns for a viable model of dialogue appropriate for a fragmented, incoherent, and pluralistic world.

⁵² In his classic account of the historical origins of anti-Semitism, John Gager makes numerous references to the debates between Jesus and the Pharisees (1983: 134-159). Hyam Maccoby (2003) suspects that Jesus was himself a Pharisee and that his debates with the Pharisees were no more than the traditional practice of intra-rabbinical debate and disputation gone sour. Regardless of whether the historical Jesus was or was not a historical Pharisee, it is clear that the depiction of such debates in the synoptic Gospels has long been and continues to be a feature of the popular image of the person of Jesus of Nazareth.

In their magisterial study, *A History of the University in Europe* (1992), Hilde de Ridder-Symoens and Walter Rüegg document the place of dialectical disputation in the curriculum of medieval Catholic institutions of higher learning. They note that there were at least three methods of teaching in such institutions: the lecture (*lectio*), the sermon (*praedicatio*), and the disputation (*disputatio*). In the undergraduate curriculum of the Catholic university, a bachelor (*baccalarius*) was required as part of his formal training to act as a respondent in a number of disputations. A bachelor was expected to put into practice each of the arts of the classical trivium: grammar, rhetoric, and dialectic. A bachelor could not rise to the level of master (*magister*) without a certain record of achievement in disputations.

There were at least two types of disputations in medieval Catholic universities. There was, in the first instance, the *disputatio ordinaria*, held internal to the university and generally attended by all faculty and students. There was also the famous *disputatio de quodlibet*, “a public demonstration of the scholastic method as applied to any questions whatsoever, freely chosen” (Swinges, 1993: 233). Although the *disputatio de quodlibet* was used as a platform by university masters to debate matters theological, it was, on occasion, used also as a platform to debate matters ethical and political. Moreover, although the methods of disputation were essential to theological training, they were applied eventually to training in fields other than theology, including jurisprudence and medicine.

According to Jan Aersten (1993), the *disputatio ordinaria* was typically based on questions posed by a master to bachelors in training. The questions were such as to demand either a positive or negative reply, such that participation in a disputation inescapably committed the disputant to one or another substantive partisan standpoint. Following the disputation, the master provided a systematic evaluation of their performance, assessing the strengths and weakness of the arguments of each side before proposing a systematic resolution to the question in dispute. As Aersten notes, the disputed question, the respective arguments, and the systematic resolution were often documented and later studied as part of a technical scholarly genre known as *quaestiones disputatae*. Moreover, the literature of *quaestiones disputatae*, adds Aersten, aided the formal study of rhetoric and argumentation (1993: 16).

Aersten notes that Aquinas conducted disputations at least every two weeks during his tenure at the University of Paris and eventually produced a series of *quaestiones disputatae* that remain classic works of Catholic theology. Moreover, Aquinas participated in a number of highly publicized *disputatio de quodlibet*, which were similarly documented and preserved for the purposes of advanced theological study. Aersten also notes that Aquinas's greatest works, the *Summa Theologiae* and the *Summa Contra Gentiles*, were structured according to the scholastic method of disputation. Both *summæ* consist of a series of questions, each followed by a series of arguments posed from rival and incompatible standpoints, themselves followed by Aquinas's own systematic resolution.

Peters only briefly quotes from one volume of the massive, multi-volume *Summa Theologiæ* to make note of Aquinas's "spiritualist" reflections on the idea of communication—reflections in which Aquinas defines the ideal of communication as that between angels (Peters, 1999: 76-79). What Peters fails to observe, however, is both the distinctly dialogical genre in which the *Summa Theologiæ* was written and the larger scholastic culture in which that genre had its point and place. There is no acknowledgement in *Speaking into the Air* of the practice of disputation in the medieval era. Interestingly enough, Aquinas justifies the practice of disputation by quoting the first epistle of Peter: "Always be prepared to give an answer to everyone who asks you to give the reason for the hope that you have."⁵³ Aquinas clearly did not believe that disputation would result in boredom, monotony, and tyranny. It is thus not just that Aquinas and the greater scholastic community to which he belonged explicitly represented and embodied the ideal of systematic dialogue; it is also that he and they perceived such dialogue as a distinctly Christian ideal, appealing as they did to no less an authority than the New Testament itself.

Peters' contention that the "Christian doctrine of communication is a doctrine of broadcasting" is therefore troubled not just by the example of Jesus in the synoptic Gospels, but also by one of the most significant chapters in the history of Christian thought and practice. It cannot be stressed enough that Aquinas remains one of the most influential theologians and philosophers in the Catholic tradition. His thought has long served as *de facto* Catholic doctrine.

⁵³ See Aquinas (2006). The quote by Peter is from 1 Peter 3:15.

This, of course, raises an obvious question: if the Christian doctrine of communication is indeed a doctrine of broadcasting, then how is it that the *Doctor Angelicus* and the broader scholastic culture to which he belonged could uphold and embody the ideal of rational and systematic dialogue, going so far as to make such dialogue a requirement for those embarking upon a formal study of the faith?

More to the point, is Peters' appeal to "Christian doctrine" and the "Christian tradition" not the appeal to yet one more barren and misleading abstraction? Is the "Christian tradition" not, in fact, a competition between distinct theological traditions? MacIntyre, for example, explicitly acknowledges the multiplicity and incompatibility of Christian systems of belief. As discussed in Chapter One, *After Virtue* attributes the rise of Enlightenment moral theory precisely to the proliferation of such systems of belief. MacIntyre aligns himself with one particular moral tradition, and a Christian one at that, namely, Thomism, a tradition in which the practice of dialectical disputation has long been accorded a central place. At no point does MacIntyre generically appeal to "the Christian tradition" to explain his views. In fact, he emphatically distances himself from such exceedingly broad and expansive categories. He rejects in particular "that unfortunate fiction, the so-called Judeo-Christian tradition," regarding the appeal to such a fiction as the illegitimate attempt to speak on behalf of others (MacIntyre, 1988: 11). For MacIntyre, doctrinal particularity and specificity is very much of the essence; the rival versions of Christianity are not, after all, one and the same. If Peters' "task" is to recognize the "difference" and "splendid

otherness of all creatures that share our world,” does that not also entail recognizing difference and otherness within Christianity itself? In declaring the Christian doctrine of communication to be a doctrine of broadcasting, does Peters not, in effect, speak illegitimately on behalf of other, self-professing Christians, including those who, like MacIntyre and Aquinas, *clearly* do not share his views on dialogue and communication? Put simply, in speaking about the “Christian doctrine” and “the Christian tradition,” does Peters not beg the question: whose Christianity?

MacIntyre on the Revival of Disputation

In response to the incoherence and consequent inconclusiveness of contemporary moral debate, MacIntyre argues for the establishment of institutional forums for conducting systematic dialogue and disagreement between rival moral standpoints. He proposes such forums as an alternative to what he takes to be the sham dialogue characteristic of a liberal political order. Among the deficiencies that MacIntyre diagnoses in such dialogue is an unfair privileging of certain voices over others, a privileging that results from a disparity in at least two types of power: financial and political. Those who possess the requisite power to make their voices heard are thus able publicly to assert and promote their particular views in a way that the financially and politically disadvantaged cannot. In this kind of market-based model of public debate, exclusion on the basis of a lack of power and privilege thus becomes a characteristic and unavoidable feature (1988: 336). In addition, the obvious lack

of a common moral framework and the consequent impossibility of securing rational agreement on matters moral and political have, according to MacIntyre, given rise to the phenomenon of public debate as an outlet for the mere expression of moral and political views. The result is public debate as an end in itself, as distinctly opposed to public debate for the explicit purpose of securing rational agreement. "What has become clear," says MacIntyre, "is that gradually less and less importance has been attached to arriving at substantive conclusions and more and more to continuing debate for its own sake" (1988: 344). MacIntyre therefore proposes substituting for this kind of sham dialogue a genuine and substantive dialogue motivated by the search for rational, non-arbitrary agreement between communities in conflict.

In the final chapter of *Three Rival Versions of Moral Enquiry*, MacIntyre argues for reconceiving the institution of the university as a site of systematic disagreement between moral systems in conflict. The university so conceived would, according to MacIntyre, provide an alternative setting for public moral debate guided and informed by working standards of truth, rationality, and argumentation, standards inconceivable in conventional forums of public debate. The function of the university would thus be to act as a kind of intellectual center for the broader public, an arena in which not only to observe the competition between distinct systems of moral and political thought, but also ideally to serve as a model for systematic debate more broadly. MacIntyre additionally regards one of the public functions of the university to be that of a second order debate over the very nature of truth, rationality, and argumentation, a debate aimed at

identifying and purging hidden and unrecognized sources of arbitrariness in first order debates over substantive moral and political claims and propositions.

MacIntyre explicitly appeals to the example of the medieval university as a historical model for what he proposes. The modern university thus reconceived would become “a place of constrained disagreement, of imposed participation in conflict, in which a central responsibility of higher education would be to initiate students into conflict” (1990: 230-231). In addition to training students to participate in systematic controversy, the university would serve as an arena

...to enter into controversy with other rival standpoints, doing so *both* in order to exhibit what is mistaken in that rival standpoint in the light of the understanding afforded by one's own point of view *and* in order to test and retest the central theses advanced from one's own point of view against the strongest possible objections to them to be derived from one's opponents.

(MacIntyre, 1990: 231; emphasis in the original)

In its capacity as an institutional forum for public debate, the university would additionally serve to “uphold and order the ongoing conflicts,” to “provide and sustain institutionalized means for their expression,” to “negotiate the modes of encounter between opponents,” and, not least, to “ensure that rival voices are not illegitimately suppressed” (1990: 231). The university so conceived would thus not be an “arena of neutral objectivity,” an idea for which MacIntyre has little patience, but rather “an arena of conflict” (*ibid*).

MacIntyre is particularly attentive to the unwitting modes of exclusion that result from the very forms of academic teaching and scholarship. As he puts it,

Academic organizational forms can on occasion effectively exclude from academic debate and enquiry points of view insufficiently assimilable by the academic *status quo*, and they characteristically achieve this exclusion not by formally placing the excluded doctrine under a ban or prohibition,

but by admitting it only in reduced or distorted versions, so that it unavoidably becomes an ineffective contender for intellectual and moral allegiance.

(MacIntyre, 1990: 218)

By way of example, MacIntyre invokes the Nietzschean mode of aphoristic utterance, which, owing to its characteristic defiance and subversion of conventional modes of academic speech and writing, is thereby systematically excluded from academic debate. The unreconstructed Nietzschean is thus unable to participate in such debate in his or her preferred mode of utterance. Participation in academic debate thus requires of the Nietzschean a certain disingenuous adoption of those formal modes of speech and writing in the opposition to which the Nietzschean aphorism was conceived in the first place (MacIntyre, 1990: 220). MacIntyre is thus willing to broaden the range of expressions permitted in academic debate so as to include a genre of speech as subversive and avowedly anti-formal as the Nietzschean aphorism. Although MacIntyre's example here is rather idiosyncratic and particular, his basic argument for maintaining a constant vigilance against unwitting and unjustified forms of exclusion applies, in principle, to more than just the Nietzschean aphorism. MacIntyre's argument for the inclusion of excluded voices is perhaps the least controversial feature of his proposal for reconceiving the university as an arena of conflict and disputation.

Naturally, MacIntyre counters the objection concerning the supposed unfeasibility of his proposal by emphasizing the historical existence of the university as a site for public disputation. "For what I have imagined," says MacIntyre, "is after all in some ways nothing other than a twentieth-century

version of the thirteenth century university, especially the University of Paris,” (1990: 232).⁵⁴ MacIntyre thus proposes the “reestablishment of thirteenth-century forms, even if with twentieth century content” (233).

Conclusion

It is clear, then, that Peters and MacIntyre, both committed Christians, advance two very different visions of communication and dialogue. Peters denies the very possibility of communication and affirms the tyranny of dialogue. MacIntyre, by contrast, affirms the possibility of communication and accords a priority to dialogue. Peters conceptualizes dialogue as guided by the ideal of reciprocity. MacIntyre conceptualizes dialogue as guided by the ideal of truth. For Peters, there is no conceivable end to dialogue except that brought about by arbitrary suspension. For, MacIntyre the need for dialogue effectively terminates in rational agreement.

Moreover, although Peters and MacIntyre are both in some sense Christian thinkers, they nonetheless manage to arrive at strikingly incompatible visions of communication and dialogue. Peters’ disseminative model of communication is based on his personal reading of the Gospels. MacIntyre’s views on communication begin on philosophical grounds and eventually culminate in the endorsement of a model of dialogue rooted in a longstanding Catholic tradition of dialectical disputation.

⁵⁴ Although MacIntyre does not mention it, it was at the University of Paris that Aquinas completed his theological training and practiced some of his earliest disputations (Aersten, 1993: 12).

Peters' Christian language of "love" and "compassion," moreover, misses an obvious fact of moral and cultural diversity, namely, that a minimum of tension and conflict between human communities is inescapable. MacIntyre makes that tension and conflict explicit and thereby acknowledges what Peters fails to acknowledge, namely, that the interaction between such communities is, in some minimal and inescapable sense, an interaction of "intellectual and moral warfare" (MacIntyre 1990: 222). MacIntyre therefore argues for the establishment of arenas of conflict and disputation in which such warfare might be carried out rationally and systematically, so as to avoid, to the greatest extent possible, the arbitrary exercise of will and power between such communities. Rational and systematic debate thus becomes a principled alternative to imperialist power and domination between human communities.

CHAPTER SIX

Moral Conflict Between Islam and the West

Introduction

This chapter explores the problem of moral conflict between Islam and the West. It uses as a case study a debate between two high-profile Muslim intellectuals concerning the incompatibility of Islam and human rights. Khaled Abou El Fadl and Sherman Jackson are both renowned experts in Islamic law. Abou El Fadl is a champion of human rights and a committed advocate of reform in Islamic law. Jackson, however, is a critic of human rights and a staunch opponent of reform in Islamic law. The debate between Abou El Fadl and Jackson is a good example not only of the challenges and obstacles that confront attempts to address one of the most pressing moral controversies of our time, but an example also of the kind of intractability diagnosed by MacIntyre in contemporary moral discourse. My aim in this case study is not to resolve the disagreement between Abou El Fadl and Jackson, but rather to examine the intractability of that disagreement by drawing from MacIntyre's critiques of the various sources of intellectual poverty and incoherence in contemporary moral discourse. In doing so, I intend to illustrate the mechanics of their disagreement and to illustrate also the kind of resistance that prevents a reconciliation between Islam and human rights.

An Historic Address

On June 4, 2009, US President Barack Obama delivered an historic address to the Muslim world. The event was the fulfillment of a campaign promise to improve strained relations not just between the Islamic world and the United States, but between the Islamic world and the West more broadly. Obama notably chose to deliver his historic foreign policy address from a major Muslim capital. To this end, he selected Cairo, Egypt, because of its symbolic value in the Arab and Muslim world. The event was co-sponsored by Al-Azhar and Cairo Universities, which added to the symbolic importance of Obama's speech. Al-Azhar is one of the oldest institutions of religious learning in the Muslim world and remains a prestigious centre of traditional Islamic scholarship. Cairo University, by contrast, was founded in the twentieth century during British colonial rule and was modeled after the modern European university. It was in light of these two sponsoring institutions that Obama began his address by speaking about "the harmony between tradition and progress."

Obama acknowledged that the relationship between Islam and the West is centuries old and that this relationship has known both periods of conflict and periods of peace. He acknowledged the role of key transitional events that have heightened tensions between Islam and the West, including the European imperial conquest of the Arab and Islamic worlds, the rise of modernity, the Cold War, globalization, the attacks of September 11, 2001, and the US-led wars in Iraq and Afghanistan. Obama also acknowledged the problem of mutual misrepresentation and false stereotypes, including the widespread view that

Islam is “hostile not only to America and Western countries, but also to human rights.” He stressed that there are both commonalities and differences between Islam and the West, and that an emphasis upon the former holds the power and potential to contribute to peace and cooperation, whereas an emphasis upon the latter contributes only to further conflict and discord.

Obama identified several current sources of tension that, he insisted, must be publicly and forthrightly addressed if the two sides are to avoid even further conflict and discord. These sources of tension can be divided into two types: 1) differences in official state policies and 2) differences in cultural and religious values. The former include the distinct responses by Western and Muslim-majority states to violence and terrorism, the Israeli-Palestinian conflict, the problem of nuclear weapons, and the challenge of economic development. As for cultural and religious values, Obama highlighted differences over the ideals of democracy, religious freedom, and women’s rights.

Obama challenged the contention that “we are fated to disagree” and that “civilizations are doomed to clash,” the latter being an obvious reference to the late Samuel Huntington’s controversial book, *The Clash of Civilizations and the Remaking of World Order* (1997). Obama repeatedly stressed that the Western and Islamic worlds need not be in conflict. “Instead,” he said, “they overlap and share common principles—principles of justice and progress; tolerance and the dignity of all human beings.” He stressed further that there needed to be “a sustained effort to listen to each other; to learn from each other; to respect one another; and to seek common ground.” To this end, Obama emphasized the

supreme ideal of freedom in the United States and the benefits that religious freedom in particular confers upon American Muslims. Obama also took care to emphasize certain Islamic values that he believed were part of this common ground, going so far as to quote passages from the Qur'an that condemn murder and praise diversity, dialogue, and cooperation.

A Key Difficulty in the Historic Address

The significance of Obama's address lies in part in its clear and deliberate departure from the tone and content of earlier foreign policy addresses delivered by his rather unpopular predecessor George W. Bush. Obama's address was significant also for having given unprecedented public exposure to the idea of dialogue between the Islamic and Western worlds and for making such dialogue an explicit item on his official foreign policy agenda. Although it is doubtless tempting for certain of Obama's critics to dismiss his address on account of his being head of the most powerful state in the world today, there is no denying that the types of tension that Obama identified are very real. There are indeed strong material differences between the Islamic and Western worlds, not just in the realm of law and policy, but also in the more basic realm of foundational values.

Still, for Obama to have suggested that Islam and human rights are not in conflict is potentially misleading insofar as this suggestion appeals to an abstract conception of Islam divorced from actual communities of Muslims. Islam is, after all, a tradition of thought and practice represented by certain historical and contemporary Muslim communities, such that there is no appeal to standards

and ideals above and beyond what was and is embodied and represented by Muslims in word and deed.⁵⁵ There is a long list of controversial practices in certain, though by no means all, parts of the Islamic world that do, indeed, confirm that Islam, at least as it is represented and practiced by certain self-designated Muslim communities, is incompatible with international human rights conventions like the Universal Declaration of Human Rights. Such practices include, but are not limited to, the stoning, lashing, and whipping of women and men for pre-marital and extra-marital sexual relations; the amputation of limbs for theft; discrimination on the basis of religious affiliation; the persecution of apostates and the threat of capital punishment for apostasy from Islam; the persecution of homosexuals and the threat of capital punishment for homosexual activity; the right of a husband to exercise certain forms of physical coercion over his wife; the practice of marrying off girls as young as nine years of age; the right of men to enter into polygamous marriages and the simultaneous prohibition of women from entering into such marriages; the right of men to initiate divorce and the simultaneous lack of such a right for women; the right of Muslim men to

⁵⁵ The argument that such and such a Muslim community does not *really* represent Islam presupposes the authority to distinguish between rival and competing representations of Islam. Such an argument raises an obvious question: Who has this kind of authority and why? Who gets to represent Islam and speak on its behalf? The problem of authority and representation notably became a key part of public discussion about Islam following the events of September 11, 2001, after which rival communities of Muslims vied with one another to establish authoritatively and definitively what Islam is and is not. The relationship between authority and representation is far too complex to be discussed here. Unfortunately, MacIntyre does not have much of substance to say on this matter. Brandom, however, does. See, for example, Brandom (1994: 214-227), in which he examines the relationship between representation, authority, and communication. It would seem reasonable to endorse Aziz Al-Azmeh's (2009) contention that there are as many Islams as there are Muslims to interpret and represent Islam. Alternatively, it may be said that Islam is a tradition of traditions. It would seem vital, therefore, to identify the particular sub-traditions or schools of thought—theological, juristic, political, or whatever—when speaking about Islam and Muslims.

marry Jewish and Christian women (i.e. “People of the Book”) and the simultaneous prohibition of Muslim women from marrying non-Muslim men; the prohibition of women from serving as judges at civil and criminal trials in Islamic courts; restrictions upon the travel and movement of women; and, not least, the imposition of strict limits upon public speech, especially as such speech pertains to Islam and Muhammad.⁵⁶ Such practices and prohibitions, it cannot be stressed enough, are implemented by self-identifying communities of Muslims precisely in the name of Islam—not in spite of it. Moreover, the penal laws of Islam are well grounded in the tradition of Islamic law.⁵⁷ It would therefore be extremely difficult to argue that such laws do not in any way represent Islam.

Obama may, of course, be excused for the rather simplistic suggestion that Islam is not in conflict with human rights. His address was, after all, designed ultimately to inspire the hope, vision, and expectation that the differences between the Islamic and Western worlds can eventually be overcome. Obama may for this same reason also be excused for his equally simplistic suggestion that there are “common principles” of “justice and progress” adequate to the task of reconciling differences between the Islamic and Western worlds over both policy matters and fundamental values. Whether there are, in fact, such common principles is far from evident. One would think, for instance, that, if there were indeed such principles, the tensions between the two sides would long ago have been more or less straightforwardly resolved. However, as

⁵⁶ For a thorough and widely cited study on the prevalence of such practices in large, though by no means all, parts of the Muslim world, see Mayer (2007). See also Hunter & Malik (2005), Abiad (2008), and Dalacoura (2007).

⁵⁷ See, for example, Peters (2006), for a thorough overview of Islamic criminal and penal laws.

the comparative legal scholar Ann Elizabeth Mayer has observed, the most common Muslim responses to the challenge of human rights have so far ranged from rejection and denial to theoretically incoherent attempts to develop an authentic Islamic human rights doctrine (2007: 47-75).

The Epistemological Crisis of Contemporary Islam

There is a common theme amongst contemporary Muslim and non-Muslim writers on the Arab and Islamic world that Islam is today in a state of grave crisis. This theme is expressed in such books as Ali Allawi's *The Crisis of Islamic Civilization* (2009), Bassam Tibi's *Islam's Predicament with Modernity: Politics, Religious Reform, and Cultural Change* (2009), John Jandora's *States Without Citizens: Understanding the Islamic Crisis* (2008), Bernard Lewis's *The Crisis of Islam* (2004) and *What Went Wrong?: Western Impact and Middle Eastern Response* (2001), Olivier Roy's *The Failure of Political Islam* (1998), and Fatima Mernissi's *Islam and Democracy: Fear of the Modern World* (1992/2002), to name but a few books by some of the more prominent contemporary writers on this theme.

Although such writers differ as to the exact nature and cause of the crisis of modern Islam, a common thread running through their respective analyses is the idea that the credibility of Islam as a system of ethics and justice has effectively and systematically been thrown in question in the modern era. Abdulaziz Sachedina represents this view when he suggests, drawing explicitly

from MacIntyre, that Islam is today undergoing an epistemological crisis. As Sachedina puts it,

...in the absence of religiously founded practical knowledge about realizing normative ends through worldly means, the Islamic tradition is faced with an epistemological crisis. By its own standards, the Islamic tradition has ceased to make progress. Both the methods of inquiry and the forms of argument have disclosed inadequacies that have shaken confidence in the tradition's capacity to furnish solutions to the concrete problems faced by individuals and groups in contemporary social and political contexts.

(2001: 58)

According to Sachedina, the epistemological crisis of Islam arises precisely when the very tradition that presents itself as the ultimate source of justice is widely perceived, even by many of its own adherents, as a source of grave injustice. It is for this reason that democracy and human rights are perceived by many Muslims to carry greater moral authority than Islamic law.

There is a growing number of Muslim intellectuals seeking to address openly and forthrightly the tensions between Islam and human rights. These intellectuals acknowledge that reform in Islam is not merely a matter of improving the social, economic, and intellectual condition of the Muslim world, but also and especially of responding to the challenge that democracy and human rights pose to the validity of Islam as a system of ethics and justice. Writings in English on this theme include Nader Hashemi's *Islam, Secularism, and Liberal Democracy: Toward a Democratic Theory for Muslim Societies* (2009), Benazir Bhutto's *Reconciliation: Islam, Democracy, and the West* (2008), Tariq Ramadan's *Radical Reform: Islamic Ethics and Liberation* (2008), Abdolkarim Soroush's *Reason, Freedom, and Democracy in Islam* (2002), Abdullahi Ahmed An-Na'im's

Islam and the Secular State: Negotiating the Future of Shari'ah (2008) and *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (1996), Khaled Abou El Fadl's *Islam and the Challenge of Democracy* (2004) and *Speaking in God's Name: Islamic Law, Authority, and Women* (2001b), and Sachedina's own *The Islamic Roots of Democratic Pluralism* (2001), to name, again, just a few books by the more prominent Muslim voices on this theme. Each of these writers seeks to salvage some normative core from the tradition and to present that core as a viable basis for a new moral and political vision of the faith compatible with the modern world.

Khaled Abou El Fadl and the Project of Reform in Islam

Arguably, the most systematic attempt today to reconcile Islam, democracy, and human rights is that by Khaled Abou El Fadl, a classically trained Muslim jurist and prominent American Muslim intellectual. In many respects, Abou El Fadl represents the kind of communicator who, in seeking to understand and be understood, has learned how to inhabit two rival and incommensurable worlds simultaneously. Abou El Fadl was born in Kuwait and formally studied Islamic law at institutions of Islamic legal learning in Kuwait and Egypt, including Cairo's Al-Azhar University. His teachers include some of the most respected jurists in the Islamic world. He later acquired a first-class Western education, having studied at Yale University, the University of Pennsylvania, and Princeton University. His dual education has therefore given him a dual cultural and linguistic competence.

Abou El Fadl's writings are among the most sophisticated contributions to the contemporary debate over reform in Islam. He commands a vast knowledge of the classical literature on Islamic law—a literature that spans tens of thousands of texts from over fourteen hundred years of Islamic history. Whereas most Muslim reformists, particularly those writing in English, lack formal training in Islamic law, let alone access to the classical sources of Islamic law, Abou El Fadl has the advantage both of being a scholar in the traditional sense and also of being able to draw extensively from the classical literature to support his arguments for reform. Moreover, he writes for multiple audiences: Muslims, non-Muslims, fellow Muslim jurists, fellow Western academics, English-speaking readers, and Arabic-speaking readers. His work represents the attempt to bridge distant and disparate worlds by facilitating mutual understanding between them and by seeking to reconcile their most fundamental moral differences. Whether he succeeds in this project, however, is a different matter.

A large part of Abou El Fadl's early research focused on the classical Muslim juristic discourse on violence and terrorism. More recently, his writings and public engagements have focused on the moral challenges of modernity, including especially democracy and human rights. He has notably aided a number of human rights organizations and lent his support to various women's rights causes in the Muslim world. He has also begun a systematic program for reform devoted to the theoretical and practical development not just of a more tolerant, humane, and inclusive interpretation of Islam, but an interpretation compatible, in principle and practice, with democracy and human rights.

Abou El Fadl's motives for reform derive in part from what he perceives to be the widespread injustice not only in the Islamic world, but also among Muslim communities in North America. His foray into debate and controversy within the American Muslim community began in 1997, when he wrote a lengthy critique of an Islamic legal ruling by an American Muslim convert who lacked formal training in Islamic law. The ruling stated that Islam forbids Muslims from standing during recitations of the American national anthem, as it represents a non-Muslim symbol of power and authority. Abou El Fadl responded with a short book analyzing the ruling. In *The Authoritative and the Authoritarian in Islamic Discourses* (1997), Abou El Fadl contends that the *responsum* by the American Muslim convert failed to acknowledge the extensive differences of opinion amongst classical Muslim jurists on whether Muslims are permitted to display respect and deference for non-Muslim symbols of power and authority. He notes that there was and is no consensus on this particular matter and that there were a number of classical jurists who ruled that Muslims may indeed display such respect and deference. By failing to acknowledge these differences of opinion and by failing also to acknowledge the contingency and fallibility of his *responsum*, the amateur Muslim scholar had committed the fallacy of substituting his own opinion for the will of God. According to Abou El Fadl, this incident represents the problem of self-styled scholars seeking to influence and control fellow believers by appealing to no more than personal authority. Abou El Fadl identifies this as the problem of authoritarianism in modern Islam, a problem

endemic not just to Muslim communities in North America, but to the Islamic world generally.

This experience prompted Abou El Fadl to write a series of books delving further into the problem of authoritarianism in Muslim communities. His book, *Speaking in God's Name* (2001b), deals specifically with the relationship between power, authority, and women in contemporary Islam. Abou El Fadl argues that the very same authoritarian mode of reasoning that was used to prohibit standing during the recitation of the American national anthem is being used elsewhere to coerce Muslim women into submitting to the will and power of Muslim men. Here, the primary target of Abou El Fadl's critique is Wahhabism, a contemporary Muslim movement embodied and represented by the enormously influential religious establishment of Saudi Arabia.

In *Speaking in God's Name*, Abou El Fadl reviews a long list of *responsa* by various Saudi scholars seeking to impose restrictions upon Muslim women on the grounds that such restrictions are the will of God. By conflating their personal authority with God's will, they, in effect, speak in God's name. According to Abou El Fadl, the methodology of Islamic jurisprudence requires the Muslim jurist to acknowledge openly and candidly the full range of scholarly opinions on a given matter and to present his own opinion thereafter as merely one opinion among many, leaving it up to the layperson to choose for him- or herself which opinion to follow. As Abou El Fadl observes, Saudi jurists depart from this practice by presenting only one opinion, and an invariably restrictive one at that, thereby leaving the inquiring layperson with little room for flexibility in the matter. Among

the various *responsa* issued by the Saudi religious establishment are the following: women are prohibited from wearing bras; women are prohibited from wearing heels; women are prohibited from clapping; women are prohibited from chewing gum; women are prohibited from driving; women are prohibited from visiting graves; a husband may not carry a photograph of his wife nor may a wife carry a photograph of her husband, since photographs in general are prohibited in Islam; a woman is required to obey her husband, which includes submitting to his every sexual demand; mixed-gender gatherings are prohibited; and, not least, women are prohibited from working alongside men. As Abou El Fadl observes, these opinions are propagated throughout large parts of the Islamic world, and even many Muslim communities in North America, as *de facto* laws by which Muslim women are required to abide. Several of these *responsa*, moreover, reflect official Saudi law.

Although Abou El Fadl regards Wahhabism as a profound aberration from traditional Islamic thought and practice, he notably extends his critique of authoritarian practices to traditional Islamic scholarship as well, arguing that many of the classical scholars were guilty of propagating harsh, intolerant, and inexcusably misogynistic views. In fact, Abou El Fadl goes even further than this and criticizes certain canonical texts in the Islamic tradition, arguing that such texts contain morally offensive content, including in particular deeply troubling and hateful teachings about women and even other races. He thereby critiques not just what he takes to be aberrations from the tradition, but also core elements of the tradition itself. This, of course, raises an obvious dilemma for Abou El

Fadl: from what standpoint does he seek to reform the Islamic tradition? For Abou El Fadl, the epistemological crisis of contemporary Islam is that of critiquing the Islamic tradition from within the tradition itself.

Abou El Fadl is fully cognizant of this problem and therefore raises the question of whether there are underlying principles of morality and justice implicit in the canonical texts of the Islamic tradition adequate to support a comprehensive rethinking of traditional rulings regarding women and a wide range of other practical concerns. He concedes that moral theory does not feature prominently in contemporary Islamic legal discourse, which is overwhelmingly governed by a more or less mechanical derivation and application of Islamic positive law. No consideration is given to moral ideals that transcend the juristic method itself.

According to Abou El Fadl, “because no legal system functions in a moral vacuum,” Muslims would do well to consider the possible “visions of morality that might guide Islamic law in the contemporary age” (2001b: 269). Abou El Fadl does not propose a moral theory, however, but rather hints at a possible moral alternative that might underwrite a more humane and tolerant practice of Islamic law. To this end, he suggests that the classical Islamic discourse on beauty and ugliness can serve as the foundation for a new guiding moral vision of Islam. According to this view, the practice of Islamic law ought to be guided by the principle of maximizing beauty and goodness and minimizing ugliness in society (247-248).

Abou El Fadl develops this idea somewhat in his book, *And God Knows the Soldiers* (2001a), a much-expanded version of *The Authoritative and the Authoritarian in Islamic Discourses*. He reveals that there was an extensive debate amongst classical Muslim scholars on whether an action was intrinsically beautiful and good or merely instrumentally so. Certain types of action were deemed intrinsically beautiful and good whereas others were deemed beautiful and good only to the extent that they served some higher aim. According to Abou El Fadl, there are a number of traditional Islamic laws, which, although taken by many Muslims to be final and unquestionable, ought to be understood instead as instrumental to the realization of some greater value. He cites a number of classical jurists, who, through precisely this line of reasoning, were able to extract from Islam's canonical texts a catalogue of ultimate aims or purposes of the law. He argues that it is necessary once again for Muslims to undertake a systematic rereading of the Qur'an so as to extract a moral vision adequate to guide the practice of Islamic law in the contemporary world and, more importantly, to revise certain traditional Islamic legal rulings.

Among the values Abou El Fadl discerns in the Qur'an are justice, fairness, mercy, compassion, beauty, and dignity. On the relationship between these values and the practice of Islamic law, Abou El Fadl writes:

The meaning and connotations of these moral values should be explored through the use of reason, intuition, and observations of the social laws of nature. Intuition and reason will yield a fuller and more in depth awareness of the meaning and implications of these values. Specific legal injunctions, even if based on the text, must be evaluated in light of the general Islamic normativities.

(2001a: 148)

Abou El Fadl argues by way of example that the traditional Islamic laws regarding inheritance and court testimony ought to be reformulated on the basis of the ultimate values and aims of the law. Muslim jurists have traditionally ruled that women may inherit only half of what men inherit and that the court testimony of a woman is worth only half that of a man. Both of these rulings are based on explicit verses in the Qur'an and are therefore regarded by the overwhelming majority of Muslim scholars today as permanent laws immune to the possibility of revision.

Abou El Fadl argues that such laws were introduced at a particular time and place to address particular circumstances and that it is therefore necessary to enquire into the higher aim and purpose that such laws were initially designed to serve. If the traditional Islamic laws of inheritance and legal testimony no longer serve those higher aims and purposes, or what Abou El Fadl refers to as Islam's "ultimate moral values," then such laws "should be re-interpreted, suspended, or negated" (2001a: 148). To implement such laws today is to undermine the higher moral value of dignity, especially that of women, such that these and other laws that undermine the dignity of women, and human dignity in general, ought to be given no place in the contemporary world.

Abou El Fadl also applies this approach to traditional Islamic rulings concerning sexual relations between a man and his wife and that between a man and his slave-girl. According to Abou El Fadl, most Muslim jurists held the view that a man enjoys full sexual rights over his wife or slave-girl, such that coercing either into submitting to his sexual demands was considered legally

permissible.⁵⁸ Abou El Fadl argues that rape, whether of one's wife or one's slave-girl, is a violation of the ultimate moral principles of Islamic law. As he puts it, "There ought to be little doubt that rape or sexual coercion is not consistent with human dignity or any sense of moral beauty" (2001a: 151).

Abou El Fadl extends this line of reasoning to address whether a man should even be permitted to own slaves in the first place. He acknowledges that Islam inherited the institution of slavery and that at no point does the Qur'an explicitly prohibit it. According to his reading of the Qur'an, however, the manumission of slaves is clearly an "overriding moral value" (2001a: 151). He therefore argues on this basis that slavery ought to be outlawed completely. Although this kind of argument would seem rather long overdue, even to the point of being irrelevant, it nonetheless challenges the practice of concubinage in certain Arab Islamic states, such as Saudi Arabia, which has no laws against the continuing sexual coercion of domestic servants.⁵⁹

Abou El Fadl on the Moral Challenge of Human Rights

It is through this kind of rereading of the core texts of the Islamic tradition that Abou El Fadl proposes a way to reconcile Islam and human rights. This proposal appears in an essay entitled, "The Human Rights Commitment in Modern Islam" (2003a). As Abou El Fadl puts it, "Of all the moral challenges

⁵⁸ This view was most recently reflected in the decision by the government of Afghanistan to permit the sexual coercion of one's wife, otherwise known as the marital rape law.

⁵⁹ Concubinage is permissible under certain conditions in Islamic law and was practiced for the greater part of Muslim history. Although Saudi Arabia formally abolished slavery only in 1962, the practice of treating domestic servants as concubines endures well into the present day.

confronting Islam in the modern age, the problem of human rights is the most formidable” (2003a, 301). He rejects the idea that Islam and human rights are, in principle, fated to clash, but concedes that the innumerable and often undeniable reports of shocking events in the Islamic world today have rightly forced the human rights question to the forefront of public discussions about Islam. It is for this reason, he believes, that an honest examination of the human rights question is necessary and urgent. His intention is to acknowledge the “major points of tension between the Islamic tradition and the human rights system of beliefs” and to “explore the possibilities for achieving a normative reconciliation between the two moral traditions” (302). The essay is therefore his attempt to rethink Islamic law from the ground up and to propose a possible—not a definitive—answer to the problem of moral tension and incompatibility.

Abou El Fadl therefore identifies several specific points of tension between Islamic law and human rights. As he puts it, these points of tension concern “personal status laws, equal rights for women, freedom of religion, and harsh Islamic criminal penalties for offenses such as theft, adultery and apostasy” (2003a: 305).⁶⁰ He notes that, although a number of Muslim states did play a role in drafting key international human rights documents, they nonetheless failed to address the points of tension between Islamic law and human rights.

Abou El Fadl observes that the most common Muslim responses to the question of incompatibility between Islam and human rights have primarily been of two types. The first type of response is that of defiant and reactionary Muslims

⁶⁰ It is interesting to note that Abou El Fadl does not mention the rights of sexual minorities or freedom of speech.

who reject human rights on the grounds that such rights are part of a general Western cultural invasion. Abou El Fadl refers to this type of intransigent attitude as puritanical and exceptionalist. Muslim puritans, as he calls them, characteristically posit a conception of Islam as perfect, fixed, and unchanging. They insist that Islam is the epitome of justice and that it is therefore immune to deficiencies, limitations, and the need for revision. Diehard Muslim puritans demand of their fellow Muslims that they exhibit open enmity and hostility toward the West as defiant displays of Islamic power and sovereignty. They reject as a sign of weakness the very idea that Muslims ought to take into consideration what non-Muslims think of Islamic thought and practice. As Abou El Fadl puts it, Muslim puritans uphold a “self-sufficient and closed system of belief” and have “no reason to engage or interact with the other, except from a position of dominance” (2003a: 310).

Abou El Fadl observes that one of the curious features of Muslim puritanical thinking is a kind of reverse Orientalism, or a disposition toward “constructing Islam as the anti-thesis of the West” (2003a: 311). Whatever the West is, Islam must be otherwise, and vice versa. On this view, because human rights are seen as a Western invention, Muslim puritans reject human rights as necessarily antithetical and inferior to Islam. The irony, as Abou El Fadl points out, is that Muslim puritans are far more anti-Western than they are pro-Islamic. In fact, their vision of Islam is parasitic upon their understanding of the West.

The second type of common response is that of Muslim apologists who deny that Islam and human rights are incompatible. As Abou El Fadl observes,

this kind of argument reflects a certain insecurity about what it means to be Muslim in the modern world. Human rights are taken in much of the Islamic world to be a self-evident moral ideal. Countless Muslims concede the moral authority of human rights prior to any understanding of the actual content of various human rights frameworks and their implications for Islamic thought and practice. Moreover, there is a strong awareness that human rights have become one of the most powerful and effective standards for judging Muslim cultures and practices. There is also the awareness that conformity to human rights is necessary to secure moral respectability in the modern world. This belief is particularly acute amongst those Muslims who, in the aftermath of the colonial experience and the subsequent powerlessness of the Muslim world, insist that Islam is the epitome of justice, an insistence motivated by an obvious need for respectability. According to Abou El Fadl, this often leads to empty claims about the compatibility between Islam and human rights, and even to the bizarre idea that Islam invented human rights. As he puts it,

A common heuristic device of apologetics was to argue that any meritorious or worthwhile modern institutions were first invented and realized by Muslims. Therefore, according to the apologists, Islam *liberated women, created a democracy, endorsed pluralism, and protected human rights*, long before these institutions ever existed in the West.
(2003a: 306)

The consequence of these “pietistic fictions,” as Abou El Fadl calls them, is to explain away human rights violations in the Muslim world as mere failures to live up to the standards of Islam. This serves the purpose of shielding Islam from criticism and of instilling apologetic Muslims with “an artificial sense of

confidence” about the supposed truth and validity of Islam as a system of ethics and justice (2003a: 307).

Thus, Muslim puritans and Muslim apologists are one in their mutual conviction that Islam is the epitome and embodiment of justice. However, whereas the puritan insists that Islam and human rights are fundamentally incompatible, the apologist insists they are quite felicitously compatible. Neither engages in a serious comparison or evaluation of the two rival and competing systems or allows for the possibility of a serious dialectical or argumentative encounter between them, let alone allow for the possibility that Islamic law might stand in need of revision in light of the moral challenge posed by human rights.

The failure to bring the two “convictional systems” into such an encounter is only compounded by the one-sidedness of those who have so far attempted to address the problem of tension and incompatibility. As Abou El Fadl notes, the most prominent advocates for human rights in the Middle East are those formally trained in international law and educated at European institutions of higher learning. These advocates are therefore “armed with Western categories and paradigms,” but possess, at best, only a superficial understanding of the Islamic legal tradition (2003a: 307). There are virtually no Muslim advocates for human rights able to address the compatibility between Islam and human rights on the basis of a dual education in both Western and Islamic intellectual and legal traditions. A lack of Islamic credentials is sufficient to deny Muslim human rights activists credibility in the eyes of their devout counterparts, who characteristically

defer to the authority of classically trained scholars who have attained the official rank of jurist.

Armed with a vast command of the classical literature of the Islamic legal tradition, Abou El Fadl proposes a way to rethink Islamic law so as to explore its potential for compatibility with human rights. To this end, he offers a two-pronged approach: 1) a hermeneutic argument about the indeterminacy of Islamic law and about the ultimate moral values of the Qur'an and 2) a moral argument for according a priority to human rights over Islamic positive law as the latter currently stands. Because a good part of this proposal repeats what was discussed earlier, what follows is a mere summary of the two arguments.

The hermeneutic argument runs roughly as follows. Abou El Fadl begins with the truism that the foundational text of the Islamic tradition, namely, the Qur'an, is incapable of speaking for itself. It therefore can only be approached through the medium of human interpretation. Thus, human subjectivity inescapably plays a role in the formation of the law. What one particular jurist or exegete takes to be a divine edict or commandment is therefore at best a fallible attempt to represent a divine will. Because no one can be certain that he or she has, in fact, understood that will, each interpretation is, in principle, always open to the possibility of revision. The law is therefore itself indeterminate and open to the possibility of revision.

It is on the basis of this hermeneutic argument that Abou El Fadl insists that Islamic law can be "re-thought, deconstructed, and redeveloped" (2003a: 327). The process of rethinking, deconstructing, and redeveloping the law,

however, requires a guiding moral vision. As before, Abou El Fadl contends that the supreme moral values of the Qur'an are justice, fairness, beauty, mercy, compassion, and dignity. Interestingly enough, Abou El Fadl reveals that the Qur'an does not define these values, but rather treats them as "intuitively recognizable" (2003a: 328). Moreover, they are not just the supreme moral values of the Qur'an. Rather, Abou El Fadl takes them to be universal moral values—values that can guide a collective project of "purposeful moral discourse" and serve as impartial criteria between human communities, both Muslim and non-Muslim (331). In Abou El Fadl's view, it is not a matter of who is right and who is wrong, but a matter rather of whose moral vision comes closest to realizing such universal values. Importantly, this means being "willing to persuade and be persuaded as to what is necessary for a moral and virtuous existence on this earth" (339).

The moral argument, on the other hand, runs as follows. Abou El Fadl observes first that Islamic law has not been developed in such a way as to support or oppose human rights. He draws extensively from the classical literature to reveal that there is, in this respect, a certain ambiguity in Islamic law. He sees this ambiguity, however, as more of an opportunity than a limitation. Because the law was designed to fulfill certain aims, the specific contents of the law are secondary to those aims. If it turns out that a rival moral system serves the ultimate aims and values of Islam better than the law as it currently stands, then priority goes to that rival system. It is a matter, therefore, of determining which system comes closest to fulfilling the ideals of justice, fairness, beauty,

mercy, compassion, and dignity, all of which are “recognizable through intuition, reason, or human experience” (2003a: 328). Abou El Fadl does not explicitly assert that the dominant human rights frameworks are morally superior to Islam. Rather, he concludes by urging his fellow Muslims to “take each contribution to a vision of goodness seriously” and “to ask which of the proffered visions comes closer” to realizing the universal values of humanity (339). He thus leaves it to the reader to determine whether human rights are, in fact, morally superior to Islamic law as it currently stands.

Abou El Fadl on the Clash of Civilizations

Not long after Abou El Fadl’s first round of books and essays on reform in Islam did it become clear that he faced considerable resistance and criticism from his more conservative counterparts. One conservative critic, for example, accused Abou El Fadl of being an apologist for the West because of his contention that certain aspects of the Islamic tradition need seriously to be rethought.⁶¹ In Abou El Fadl’s view, however, such resistance and hostility to calls for reform only perpetuate the problem of tension and conflict.

In his essay, “9/11 and the Muslim Transformation,” Abou El Fadl addresses the objections of one of his staunchest critics, namely, Sherman Jackson. The essay is a contribution to Mary Dudziak’s *September 11 in History: A Watershed Moment?* (2003), in which both Abou El Fadl and Jackson address each other directly and air some of their strongest differences.

⁶¹ See Jan (2002), who harshly criticizes Abou El Fadl’s call for greater tolerance in Islam.

For his part, Abou El Fadl takes up the clash of civilizations thesis, arguing that to reject the idea of universal values adequate to mediating between Islam and the West would, in effect, be to prove Huntington correct. He points out that there are cultural puritans in both the Islamic and Western worlds who would very much like to confirm a clash of civilizations. However, to reject universal values, he insists, would be to give such puritans the benefit of the last word.

According to Abou El Fadl, the events of September 11, 2001 have forced Muslims to consider at least the possibility of an alternative to a clash of civilizations. In a reference to Jackson, he concedes that there is a great deal of cynicism toward the idea of universal values. Those who promote universal values, observes Abou El Fadl, will inevitably be accused of promoting the values of one particular culture over those of another. According to this line of reasoning, there are no universal values, but rather values relative to one culture or another. However, this kind of criticism, Abou El Fadl argues, is to succumb to the problem of relativism (2003b: 79). Abou El Fadl does not delve into what he means by “cultural relativism versus universalism,” suggesting only that values are either relative or universal. In Abou El Fadl’s view, there is no escaping the dichotomy between relativism and universalism. He therefore encourages a “search for moral universals that could serve as shared and common goals with non-Muslims” (ibid).

This time, however, he adds “the sublime” to the list of universal values that Muslims and non-Muslims might collectively aspire to achieve or realize. He proposes a “collective enterprise of goodness” in the form of a collaborative

“discourse,” through which both sides might actively “search for the sublime” (2003b: 96). As he puts it, this discourse “might be a dialectical process in some cases, in which the participants in the enterprise disagree and become the alternative to the other, but never the negation of the other” (ibid). Abou El Fadl does not provide any detail concerning the exact method by which those engaged in such a discourse might collectively decide between rival and incompatible moral claims. He does, however, mention in a revealing footnote that he “tend[s] to lean toward the Kantian tendency to connect aesthetics to morality” (2003b: 109, n. 52). Beyond this, however, he has nothing substantial to add to his previous arguments for reform.

Sherman Jackson on the Problem of False Universals

Sherman Jackson’s story is somewhat different from that of Abou El Fadl. Unlike Abou El Fadl, Jackson is an African-American convert to Islam. His work is devoted not to reform in Islamic law, but rather that of maintaining and developing Islamic law squarely within the established principles and boundaries of the Islamic legal tradition. His work therefore does not in any way mark a departure from that tradition. Although Jackson may be said to possess a dual cultural and linguistic competence, having been born and raised in the US, having studied at the University of Pennsylvania, and having taught Arabic in Egypt, his project is not that of resolving fundamental differences between the Islamic and Western worlds. As will become clear below, Jackson may instead be said to reinforce certain of those differences.

Whereas Abou El Fadl's writings on Islamic reform span several books and essays, Jackson's critique of Abou El Fadl and the project of reform is limited to a single essay entitled, "Islam(s) East and West: Pluralism between No-Frills and Designer Fundamentalism," his contribution to Dudziak's *September 11 in History* (2003). Jackson's critique of Abou El Fadl begins with the prediction that "the problem of the twenty-first century will be the problem of the false universal" (112). By "false universal," Jackson means

...that convenient confusion between abstract and concrete universals on the basis of which only those who share one's concretions of "justice," "beauty," or "civilization" are justified in laying claims to these values. The false universal conceals itself in the habit and or privilege of speaking as if the shape that one's values and preferences assume in concrete social, political, or interpersonal contexts is not grounded in cultural, historical, or even ideological perspectives but, instead, is reflective of a transcendent, "natural" order whose validity is obvious to everyone, save the stupid, the primitive, or the morally depraved. In a word, the false universal is a manifestation of history internalized, normalized, and then forgotten as history—at least for those on the inside looking out.

(Jackson, 2003: 112)

Jackson acknowledges that the events of September 11, 2001 have prompted Muslims to join the West in condemning violence and terrorism on the basis of universal values of peace and justice. He points out, however, that "the efforts of Muslim reformists" preceded the events of September 11, and that such reformists had long been asserting that Islamic law "is out of step with modern sensibilities" and that it "needs to be brought into conformity with 'universally recognized' rights and obligations" (2003: 112-113).

Jackson contends that the project of reform in Islamic law "invariably entail[s] an attempt to reconcile Islam with the dominant culture," such that whatever is dominant is taken to be universal. As an African-American, Jackson

says he harbors a “deep suspicion of all claims to universal norms,” which he invariably associates with “white supremacy” (2003: 113). He views claims to universal norms and values as tools of power and domination, tools that are now being deployed by Muslim reformists to coerce more traditional Muslims into accepting modern Western norms and values.

Jackson believes there is a geographical hierarchy of sorts amongst Muslims, such that those Muslims who enjoy a life of luxury and privilege in the West, but who are embarrassed by popular associations between Islam and violence, seek to allay the fears of Westerners with false assurances that Islam and the West share universal values. He argues that what Muslim reformists uphold as universal values appear to be “suspiciously close if not limited to the sensibilities and predilections of the dominant group” (2003: 114). According to Jackson, such values are not similarly upheld by Muslims who live a life of poverty and powerlessness in the Islamic world or even in Muslim communities in North America.

By way of example, Jackson discusses the case of ‘Abdullahi Ahmed An-Na’im, a well-known Muslim reformist from Sudan. An-Naim has long affirmed that Islamic law stands in violation of universal human rights. He criticizes Islamic law for, among other things, permitting men to enter into polygamous marriages, while simultaneously prohibiting women from similarly entering into such marriages. As An-Na’im observes, the Islamic law of marriage thus discriminates on the basis of gender. Jackson, however, contends that if An-Na’im’s objection to the Islamic law of marriage is its purported violation of the

principle of equality, then An-Na'im could have just as easily have argued in favour of a woman's right to enter into polyandrous marriages. According to Jackson,

The latter option, however, is never even contemplated, which suggests that the universal value of equality is not at all an end but rather a *means* to an end, which is to bring Muslim life into conformity not simply with universal values but with very specific concretions of these values by the dominant civilization.

(Jackson, 2003: 115)

According to Jackson, An-Na'im represents "a class of modern Muslim reformists who are adamant and unabashed" that Islamic law "is the cause of rather than the solution to the problem of Islam's maladjustment to the modern world" (2003: 115). He dismisses the idea that An-Na'im could have any influence upon Muslims, suggesting that An-Na'im's radical views are too far beyond the pale of the Islamic tradition.

Jackson believes one of the principal tactics of Muslim reformists is that of collapsing Islam into "a single-minded commitment to one or another moral or aesthetic vision," one that just happens to be cheerfully compatible with the values of the modern West (2003: 115-116). By so collapsing Islam into a Western-friendly moral and aesthetic vision, Muslim reformists ensure that rival such visions are more or less categorically rejected. According to Jackson, this serves to deprive Islam of its power to challenge the dominant culture. It serves, in effect, to domesticate Islam and to convert it into a tool of power. It seems clear that, for Jackson, whatever is dominant is to be regarded as suspect.

According to Jackson, the attraction behind the very idea of universal values is born of "a fundamental fear and recognition that *no* system of open

intellectual exchange can guarantee the emergence or suppression of any particular view" (2003: 116). It is the fear that, between rival and incompatible systems of belief, there is no *a priori* method for deciding between them. As Jackson puts it, "the appeal to supposedly universal values is ultimately an attempt to circumvent the unpredictability of open debate"—an attempt apparently denied to those who uphold a rival and incompatible set of values (116).

Jackson argues that Muslim reformists do not have confidence in "the process of open debate," a process that had once been a part of the Islamic tradition. As he puts it, "substance has become everything," such that, "without the guarantee that this or that particular substance will emerge," Muslim reformists are "unwilling to gamble on process" (2003: 125). According to Jackson, the motivating concern of Muslims reformists is the fear that certain negative images—images not just of violence, but also of inequality, primitiveness, and intolerance—will be associated with Islam. Muslim reformists fear that Islam will be seen as, among other things, "woefully out of step with modern sensibilities" (ibid). They therefore preempt open debate with their more conservative counterparts by declaring in advance that Islam is, in fact, compatible with modern sensibilities.

Jackson observes that there has been a virtual contest amongst Muslims to define and represent Islam in the aftermath of September 11. He contends that those reformists who insist that the "true" Islam is tolerant, peaceful, and compatible with human rights are merely "acting on their own 'Islamic' version of

the ‘white man’s burden’” (2003: 117). Jackson therefore regards Muslim reformist arguments in favour of human rights as a form of cultural imperialism.

Moreover, he criticizes the attempt to derive universal moral values from Islam’s canonical texts, values that are supposedly common and universal to Muslims and non-Muslims alike. He argues that such attempts are based less on a “hermeneutic tradition” than they are on a prior “vision” of what Islam is or ought to be (2003: 118). The inability to separate the context in which Islam’s core texts were written from the contemporary contexts in which Muslim reformists seek to reinterpret those texts therefore results in the conflation of the two contexts. As Jackson puts it, such conflation

...metamorphoses into a false universal, converting time- and space-bound expressions of Islam into binding and normative models for Muslims everywhere. The universally normative status imputed to these “derivations” both embodies and perpetuates the new hegemony: history internalized, normalized, and then forgotten as history.

(2003: 118)

Jackson believes that Muslim reformists are far more eager to emphasize the contingency, historicity, and cultural particularity of objectionable Islamic beliefs and practices than they are the beliefs and practices of the dominant culture of the West. Jackson sees this as nothing less than a “subtle civilizing mission,” which “aims at obliterating one historical consciousness, without altering the history that produced it, in favor of another historical consciousness, without recognizing and critically analyzing the history behind it” (2003: 121).

The problem, according to Jackson, is that Muslim reformists lack methodology and provide no way to justify or verify what they uphold as universal values. Jackson acknowledges that a purportedly universal value has the

elements of “chic,” prestige, and power, but that “it remains nonetheless, *qua* universal, patently false” (2003: 121). Thus, what Muslim reformists take to be self-evidently universal, Jackson takes instead to be self-evidently false.

Jackson refers to arguments in favour of universal values as “a highly sophisticated” form of “designer fundamentalism,” which turns out, more often than not, to undermine “true pluralism” rather than upholding it. Jackson does not say what, exactly, he means by “true pluralism,” however (ibid).

Jackson believes Islam and Muslims are being held to one standard, but that the West and, in particular, the United States, are being held to another standard. The West has become the normative standard by which to judge Islam and Muslims, such that the burden of change and reform lies with the latter, not with the former. As Jackson puts it,

The simple truth is that Western civilization is today the ascending one, and, as every Westerner knows instinctively, the “Phantom of the West” peers over the shoulder of every “non-Westerner” as s/he attempts to write his or her way out of the company of the primitive and into the ranks of the civilized. In this capacity, the West sits in judgment over everyone who seeks to make a claim to civilization.

(2003b: 126)

Jackson argues that Muslim reformists who “live in the West and write largely to a *Western* audience” cannot possibly “deny that they are trying to appease or appeal to the West” (2003: 126; emphasis in the original). In what is unquestionably a departure from conventional standards of scholarly decorum, Jackson, borrowing a line from a classical Muslim scholar, likens such reformists to “a blind man urinating on a roof, facing the people with his pudendum, and

supposing that no one sees him, since he himself is incapable of seeing his own person" (2003: 126).

Jackson argues that the problem is not appeasing the West *per se*, but rather doing so by appeal to "categorical arguments that are grounded in false universals" (2003: 126). He challenges such categorical arguments with defiant questions like the following:

Why should an African Muslim whose family structure will not accommodate illegitimate children and whose society is too poor to afford social welfare services be embarrassed by Western reactions to the Islamic punishment for adultery? Indeed, why should a poor Muslim widow and mother of four living in South-Central Los Angeles or North Philadelphia listen to a Muslim feminist in the top 3 percent income bracket condemning and belittling polygyny as both a personal *and* an Islamic option?

(2003: 127; emphasis in the original)

Jackson, then, is entirely unwilling to compromise on a practice as extreme as capital punishment for adultery and differential rights for men and women.⁶²

Jackson affirms that there is "strong scriptural evidence, massive juridical precedent, and agreed-on interpretive methodology" to support the practices and laws Muslim reformists seek to bring to an end (2003: 127). Moreover, Jackson argues that even the most radical and deconstructive approach to rereading Islam's canonical texts still leaves open the possibility of arriving at judgments and conclusions supportive of such laws and practices. Thus, the project of

⁶² Jackson is not explicit about what he means by "the Islamic punishment for adultery," assuming it to be obvious. In *Crime and Punishment in Islamic Law* (2005), Rudolph Peters affirms that, "under very special circumstances, persons who have had illegal sex can be punished with the fixed penalties of either 100 lashes or death by stoning, depending on their legal status" (2005: 60). As Peters makes clear, stoning is the prescribed Islamic punishment for those committed of adultery. Incidentally, Peters notes that stoning is also the prescribed Islamic punishment for homosexual intercourse.

rereading and reinterpreting the canonical texts in such a way as to support more liberal laws and practices betrays a certain self-discrediting arbitrariness.

That arbitrariness is only compounded by the unwillingness on the part of Muslim reformists to question the cultural and historical context in which they write. Jackson believes that Muslim reformists are motivated by a clear bias in favour of “modern, Western” values and that they moreover fail to recognize that bias. In a clear tone of impatience and contempt, Jackson represents the allegedly biased and inconsistent views of Muslim reformists as follows:

Women should not be forced to wear a *burqa*, a *chador*, or a *hijab* (but they may be forced to remove them). Polygyny is demeaning and unfair to women (though loneliness and poverty are none of our business). Patriarchy is bad and the source of untold evil (but we will examine neither matriarchy nor androgyny as alternatives). Scriptural literalism reflects weak-mindedness (even if literalist interpretations of the Qur’an prove to be more liberating and empowering).

(2003: 127)⁶³

According to Jackson, these examples of apparent bias and inconsistency are evidence of false universals at work.

Given his critique of false universals, Jackson considers it fair to ask whether or not there are “true universals” that might “empower Muslims everywhere to speak on certain views and actions of Muslims anywhere” (2003: 129). He affirms that, “there are indeed true universals—true *concrete* universals—to which all Muslims may be said to be bound,” but that these “true

⁶³ It is difficult to read this remark and not wonder whether Jackson supports forcing women to wear the *burqa*, the *chador*, or the *hijab*. It is also impossible to resist making note of his implicit suggestion that patriarchy is not, in fact, “bad and the source of untold evil.” Finally, it is rather curious that he should consider matriarchy and androgyny as the only alternatives to patriarchy.

universals” are determined only by the Islamic tradition. Such values are therefore not universal for humanity in general, but rather for Muslims only.

Jackson argues that it is impossible to derive universal values through “philosophical discourses,” and that priority ought therefore to be given to “legal discourses,” which address concrete questions and yield concrete answers. The relevant “legal discourse” for Jackson is, of course, that of Islamic law. By contrast, he characterizes “philosophical discourses” as hopelessly abstract and incapable of addressing specific or “concrete” circumstances. Arguments derived from “philosophical discourses” inevitably “smack of false universals”. The final and ultimate standards to which all Muslims may be said to be bound, then, are those grounded in the Islamic tradition (2003: 129). Jackson does not, however, address the problem of tension and conflict between rival and incompatible traditions.

Analysis

The debate between Abou El Fadl and Jackson is a good example of fundamental and intractable moral disagreement. It is a good example of two rival and incompatible moral standpoints that lack a common conceptual framework and that therefore appear fated to clash. Although their disagreement can, in some sense, be understood as symptomatic of a deeper conflict within modern Islam, the nature and structure of their disagreement is nonetheless similar to that outlined in Chapter One. Intractable moral disagreement, it seems, is a phenomenon hardly limited to post-Enlightenment Western cultures. In its

capacity for internal conflict and disagreement, the Islamic world may be said to have at least something in common with the Western world, though this is hardly what Obama had in mind when he suggested that they share something in common.

It is not just that the disagreement between Abou El Fadl and Jackson is fundamental and intractable. It is also that their disagreement betrays the kind of shrillness and defiance characteristic of so much of contemporary moral debate. To be fair, that shrillness and defiance are clearly exhibited more by Jackson than by Abou El Fadl, but they are exhibited nonetheless. Jackson writes in an unmistakable tone of principled indignation, such that it seems almost unclear whether the point of his essay is to express substantive material disagreement or merely to register his sense of indignation and outrage over the very suggestion that Islam ought to be reformed in light of modern Western standards of ethics and justice. In this much, at least, Jackson seems to confirm what MacIntyre describes as expressions of indignation assuming the form of moral argument. Jackson's sense of indignation is, moreover, a sign precisely of the kind of discursive deadlock and breakdown endemic in so much of contemporary moral debate. To his credit, Abou El Fadl does not similarly exhibit such shrillness, defiance, and indignation. However, Abou El Fadl's appeal to purportedly intuitive and self-evidently universal values manages in the end only to compound their discursive breakdown.

Although Abou El Fadl does not disavow divine commandments altogether, he does seem to acknowledge the need for a secular moral framework able to

stand self-sufficiently and independently of the divine commandments particular to the Qur'an and the Islamic tradition. That is to say, he seems to appreciate the need for an alternative to what MacIntyre calls "arbitrary edicts which demand a nonrational obedience" (1966/1998: 119). In this respect, Abou El Fadl concedes that Islam cannot define the terms of moral dialogue and debate with non-Muslims and that such dialogue and debate requires a common or shared vocabulary and a shared set of normative standards. However, in appealing to universal values, Abou El Fadl in effect appeals to a chimera.

The appeal to "justice" or "beauty," for example, is the appeal to concepts and categories that have long been, and continue to be, a source of widespread disagreement and conflict. Abou El Fadl writes with little awareness of the history of such disagreement and conflict. He writes, that is, as though there were but a single conception of justice and a single conception of beauty. As MacIntyre has shown, however, there is no such thing as justice as *such*, but rather so many conceptions of justice. We have, as MacIntyre puts it, "justices, not justice" (MacIntyre, 1988: 14). And although MacIntyre does not address the concept of beauty, it would seem that much the same may be nonetheless said about beauty also. That we cannot agree on the contents of justice or beauty is evidence only of the inadequacy of either to serve as a neutral or impartial criterion in our moral disagreements and debates.

The appeal to intuitive or self-evident values seems also to confirm MacIntyre's contention that such appeals are "always a sign that something has gone badly wrong with an argument" (1981/1984: 69). The appeal to intuition

and self-evidence is a sign, that is, that Abou El Fadl has run out of arguments in defence of his moral standpoint. Such an appeal leaves far too many questions unanswered—questions that, if actually articulated, seem only to weaken his case and to invite precisely the kind of shrillness and defiance exhibited by Jackson. For example, if the contents of justice and beauty are indeed self-evident, such that there is no need to appeal to further categories and concepts, why is it that no one can agree on what either entails? If the values that Abou El Fadl takes to be universal really are intuitive and self-evident, then why, for over 1,400 years, has Islamic law upheld prescriptions and proscriptions for human conduct that stand, by Abou El Fadl's judgment, in contradiction to those values? One would think that this contradiction might have been recognized sooner and by more than a mere handful of dissident Muslim jurists. Moreover, is it not the case that Jackson's rejection of such values is *prima facie* evidence precisely that such values are neither universal nor intuitive or self-evident? How would Abou El Fadl account for fundamental disagreement over purportedly universal, intuitive, and self-evident values? Would it not imply a certain lack or deficiency in, say, one's faculty of moral perception? Who, then, would be qualified to evaluate the adequacy or sufficiency of another's ability to apprehend or intuit purportedly universal values?

Even to ask such questions, of course, is to betray the intellectual poverty behind the appeal to intuitive and self-evident values. It seems clear that Abou El Fadl succumbs to the kind of objectivist tendencies diagnosed by MacIntyre, tendencies that foreclose on the possibility of an open-ended dialogue and

debate. It is not, of course, that Abou El Fadl explicitly seeks to foreclose on such dialogue and debate. He makes the effort, in fact, to leave his arguments in favour of human rights open to the possibility of critique and refutation. It is, rather, that by affirming a particular set of values as universal and by suggesting that these values can be grasped by mere intuition, he in effect precludes debate about those values. To question and challenge those values would be to move beyond the structure of his argument. His objectivist tendency lies in appealing to a criterion that cannot, in principle, be evaluated or critiqued since that criterion is itself presented as establishing the very possibility of evaluation and critique.

It is also quite telling that Abou El Fadl should reproduce rather perfectly the Cartesian anxiety through his insistence that the only alternative to a clash of civilizations is the search for universal values. By insisting that values are either relative or universal, Abou El Fadl seems only to confirm the imminence of what he most fears. He indirectly feeds the idea that the threat of moral chaos “hovers in the background” (Bernstein, 1983: 18). He thus gives in to the pre-reflective instinct that either there is some sort of objective moral structure and framework that transcends the contingency and particularity of human communities or we are faced with the nightmare of disorder and chaos. It seems that the clash of civilizations thesis is for Abou El Fadl the political expression of the Cartesian anxiety.

Although Abou El Fadl does indeed have the merit of a dual education and a dual cultural and linguistic competence, it does not appear that he has succeeded in identifying a bridge between Islamic law and human rights. It

appears, rather, that Abou El Fadl has been unable to move beyond the epistemological crisis of contemporary Islam and that he remains torn between his commitments to both Islam and human rights. The result appears to be a bifurcated or fragmented moral identity divided by dual allegiances to fundamentally incompatible moral systems. The appeal to universal values appears to be less a coherent moral argument than a failed attempt to impose an overarching unity upon rival and incompatible moral systems. The idea that Islamic law can be reformulated in such a way as to be cheerfully compatible with the Universal Declaration of Human Rights, while still remaining, in some fundamental sense, Islamic law, seems rather implausible. It is unclear in what sense the Islamic tradition would remain the Islamic tradition if it were to undergo systematic reformulation of the kind and scale advocated by Abou El Fadl. Put simply, it would seem that such a fundamental and thoroughgoing reformulation would, in effect, amount to a revolution from which an altogether different tradition would emerge. There does not seem to be sufficient normative and conceptual continuity between Islam as it is and Islam as Abou El Fadl would like it to be, such that they would remain one and the same Islam.

Jackson's essay, on the other hand, brings a different sort of intellectual poverty and incoherence to the disagreement over Islam and human rights. Jackson is obviously keen to unmask false universals and, in this much, at least, there is some merit to his argument. However, his essay is a rather stark example of how "unmasking arbitrariness in others may always be a defence against uncovering it in ourselves" (MacIntyre, 1981/1984: 72). It appears to be

little more than an exercise in subversion. It is a purely defensive argument designed to neutralize criticisms and judgments of Islam deriving from standards he takes to be external to Islam itself. However, in upholding the Islamic tradition as the final and ultimate authority to which Muslims may be said to be morally bound, Jackson commits himself to a relativism of traditions and thereby manages only to perpetuate the problem of moral conflict and disagreement between traditions. In the organizing scheme of this dissertation, Jackson is unable to move beyond Chapter Two.

By falling back upon the authority of the Islamic tradition, Jackson notably commits himself to a species of fideism. He commits himself, that is, to yet another type of moral dead end. For just as the appeal to self-evident values is a sign that arguments in favour of a particular standpoint have been exhausted, so, too, is the appeal to one's tradition a sign that arguments in favour of a particular standpoint have been similarly exhausted. As MacIntyre has put it, "the appeal to the authority of established belief" is the "weakest form of argument" (1988: 359). It reveals an inability, or perhaps an unwillingness, to move beyond the authority of established belief and to leave such belief maximally open to the possibility of evaluation and refutation. Although Jackson upholds a process of open-ended debate, it is a process internal to the Islamic tradition. He remains conspicuously silent about open-ended debate between Islam and rival traditions. The appeal to tradition is, to borrow Jackson's words, "ultimately an attempt to circumvent the unpredictability of open debate" (2003: 116). It also

has the consequence of further entrenching and solidifying the intractability of the conflict between Islam and human rights.

There is, however, a far more serious consequence to Jackson's appeal to the Islamic tradition as the final and ultimate source of standards for discoursing about matters ethical. As MacIntyre has argued, human relationships unmediated by shared standards of justice and rationality are inescapably mediated instead by the arbitrary exercise of will and power. This observation holds for relationships between individuals and those between entire traditions and communities. Where rival traditions and communities lack shared standards of justice, the relationship between them is liable to devolve into clashing wills "unmediated by rationality" (MacIntyre: 1985: 11). As MacIntyre has argued, it is only when traditions and communities appeal to shared standards that there can be any possibility of "unmasking and dethroning arbitrary exercises of power." This, again, holds for at least two types of power: 1) tyranny, or arbitrary exercises of power within communities, and 2) imperialism, or arbitrary exercises of power between communities. Thus, in the absence of shared standards of justice, Jackson's charges of cultural hegemony and imperialism effectively lack all moral force.

This, then, raises an obvious question: in condemning this or that action as hegemonic or imperialist, is Jackson not himself implicitly appealing to a shared, perhaps even universal, standard of justice? By what standard, for example, does he condemn the hegemony and imperialism of Western culture? From where does such a standard derive? Surely, Jackson cannot object to

hegemonic and imperialist conduct solely by appeal to the standards of the Islamic tradition, for such an appeal would not give those who have no particular allegiance to Islam good reasons to endorse his objections. Indeed, Jackson writes as though the injustice of hegemony and imperialism were, in fact, readily apparent to those who do not adhere to his particular tradition. He appeals, it seems, to a tradition-independent standard of justice. Jackson therefore unwittingly legitimates what he otherwise seems to deny, namely, a public moral standard by which to unmask and be unmasked and by which to dethrone and be dethroned. Ironically, this unwitting act of legitimation provides a clue as to how Abou El Fadl and Jackson might move beyond their argumentative deadlock.

A Possible Way Forward

How, then, might Abou El Fadl and Jackson restructure their disagreement so as, indeed, to move beyond their present deadlock? How might they move, that is, beyond the objectivist-relativist divide? More importantly, what outcome ought they to strive to achieve? To begin with, Abou El Fadl and Jackson might take heed of Davidson's anti-relativist insight—an insight endorsed by MacIntyre—that all disagreements are necessarily predicated upon some larger background of agreement, such that the differences between rival and incompatible standpoints can only cut so far, beyond which they inevitably reveal strong epistemic and normative overlap. Thus, Abou El Fadl and Jackson might begin by acknowledging at least two sets of overlapping values.

The first of these would be epistemic values—the values of truth, impartiality, and logical and theoretical consistency, all of which are features of the practice of enquiry. Abou El Fadl's appeal to universal values, for example, reveals a commitment to the epistemic value of impartiality. Similarly, Jackson's critique of false universals likewise reveals his own commitment to the epistemic value of impartiality. Each in effect holds the other accountable to one and the same epistemic standard. Thus, where they disagree about a particular moral standard, they manage instead to agree about a particular epistemic standard.

They might also consider conceptualizing truth as MacIntyre has conceptualized it. According to MacIntyre's view of truth, to hold a particular claim to be true is to treat it in practice as though it would forever stand up to the test of rigorous scrutiny, that is, to critical questioning, objections, and counter-claims. To hold claim A to be true is to say that, in the event of a dialectical encounter with rival and incompatible claim B, A would emerge rationally victorious. The act of making a claim to truth is thus to nominate that claim for competition in the arena of dialectical argumentation. Whether one chooses actually to enter into that arena is, of course, a different matter, and the refusal to so enter would be to give one's critics no good reasons to endorse one's moral claims; indeed, it would give reasons precisely to reject such claims. If Jackson, for example, were to make a claim about the supposed justice or moral superiority of Islamic law, that claim would effectively lack moral force unless it were actively subjected to critical scrutiny—open, in principle, to both Muslims and non-Muslims alike. The commitment to truth, moreover, would leave no

claim and no belief immune to critical scrutiny, and the attempt to shield any part of Islam, no matter how hallowed or sacred, from such critical scrutiny would only be to invite the charge of violating the very epistemic values that fund the possibility of enquiry in the first place.

What, then, is the goal of a dialectical encounter between Islamic law and human rights? The goal, as stated before, is nothing short of determining which moral standpoint is rationally superior to its rival. This requires not just a willingness to acknowledge the possibility of rational defeat, but a willingness also to make explicit the conditions under which one would concede rational defeat. To his credit, Abou El Fadl leaves open the possibility that his claims concerning human rights might be defeated, though the framework through which he proposes discoursing about human rights is dubious at best. In Jackson's case, it would entail acknowledging the conditions under which he would be prepared to renounce his allegiance to those articles of Islamic law that stand in contradiction to the various relevant articles of, say, the Universal Declaration of Human Rights. An unwillingness to so acknowledge would be to betray precisely the type of self-serving arbitrariness he condemns in those who appeal to false universals.

The second set of overlapping values would be normative or moral values. This would entail a detailed ethnographic analysis of the extent of overlapping moral standards between Islamic law and human rights. An analysis of this kind would yield shared standards, as opposed to false universals or tradition-specific standards. A common stock of moral standards would allow for the possibility of

holding each other accountable in a manner that neither side could reject as arbitrary or self-serving. Although this dissertation is obviously not the place for this kind of ethnographic analysis, it is possible nonetheless to illustrate, even if briefly, how a common standard or set of standards might furnish the possibility of rational vindication and defeat.

In condemning hegemony and imperialism, Jackson has unwittingly pinpointed at least one moral standard undoubtedly shared by Abou El Fadl—a standard that may very well be the key to accounting for their disagreement and to identifying which of their rival moral standpoints affords the possibility of furnishing a non-arbitrary resolution to their disagreement. If Jackson condemns hegemony between cultures as a form of injustice, one is then entitled to ask, what about other types of hegemony? Abou El Fadl could challenge Jackson by identifying forms of hegemony internal to Islamic law. If hegemony between cultures is, by Jackson's admission, a form of injustice, then what about, for example, male hegemony over women? Is patriarchy not precisely a type of hegemony? Jackson upholds the sovereignty of the Islamic tradition against the threat of Western power and domination. What, then, about the sovereignty of women against the threat of male power and domination? Or the sovereignty of non-Muslim minorities against the threat of Muslim majority power and domination? Or the sovereignty of lesbian, gay, bisexual, and transgendered peoples against the threat of heterosexual power and domination? Indeed, is it not precisely the point of human rights conventions to protect the sovereignty of the individual against various types of hegemonic power and domination? If

Western cultural hegemony is a form of injustice, are other types of hegemony not similarly forms of injustice? Why uphold one kind of sovereignty and not another? How would Jackson justify the inconsistency, especially in light of his harsh condemnation of Western cultural hegemony?

Jackson may, of course, attempt to justify this inconsistency—if, indeed, he chooses to acknowledge such inconsistency at all—by invoking some conception of the common good. He might attempt to justify certain types of hegemonic relationship on the grounds that such relationships are necessary for the maintenance of a healthy social community. This would, of course, leave him open to the criticism that Islamic law is not, in fact, adequate to the maintenance of a healthy social community. A claim concerning the common good would invite comparative evaluation of those societies governed by Islamic law and those that observe some working version of human rights, leaving Jackson vulnerable to the possibility that, by his own standard, his moral claims may be rationally defeated. He would also have to weigh this kind of argument against the risk of plunging into theoretical incoherence given, again, his harsh criticisms of false universals as a case of hegemony—a case apparently so grave that he identifies it as “the problem of the twenty-first century” (2003: 112).

I am not, of course, suggesting that these types of questions and arguments are sufficient to settle their disagreement. What I am suggesting, however, is that MacIntyre’s model of moral discourse offers a way to think about moral difference and disagreement in such a way as to avoid the pitfalls of both objectivist and relativist modes of moral reasoning, the kind of pitfalls that lead to

communicative deadlock and breakdown. Neither Abou El Fadl nor Jackson need look any further than the shared or overlapping moral and epistemic standards, both implicit and explicit, in their respective standpoints for a possible—perhaps the only possible—way out of their current impasse.

CONCLUSION

In one of his earliest essays, John Durham Peters (1986) lamented what he took to be the severe intellectual poverty of the state of communication studies. Peters observed that the very idea of communication varied from one institutional setting to the next, such that the study of communication was largely, if not entirely, dependent upon institution-specific standards and criteria. Communication studies, argued Peters, lacked a rigorous set of theoretical foundations powerful enough to elevate the field to the status of a serious academic discipline and to provide communication students and scholars with a common intellectual identity and purpose. Identity based on mere membership in a common academic field, so Peters argued, was no identity at all. Peters therefore undertook a detailed historical critique of the field, emphasizing the institutional biases and limitations that shaped and hindered the progress of communication research. He called for a critical rethinking of that history and a search for theoretical foundations adequate to reconceive the future direction of the field.

Peters has since played an active role as a critical commentator of the field. He has delivered a certain historical consciousness to both students and scholars of communication, encouraging the search for sources of communication theory well beyond the narrow historical and institutional confines of communication studies proper. To this end, Peters has argued for the inclusion of figures as grand and ancient as Jesus and St. Paul in the community

of communication theorists and has even proposed a master theory of communication, namely, that based on dissemination. I have made it clear in this dissertation that I do not endorse Peters' arguments for Jesus as a master theorist of communication and dissemination as a master theory. And yet, to have rejected those arguments is still to leave open the possibility of endorsing Peters' call for expanding the canon of communication scholars beyond its established institutional confines.

Although I do not propose thinking of MacIntyre as a master theorist, I would nonetheless nominate him for recognition as an honorary communication scholar. The value of MacIntyre's mature thought for communication enquiry is, I believe, at least threefold: diagnostic, theoretical, and practical. No matter how we think about communication, for example, it is impossible to conceptualize it except as a kind of practical activity. It is impossible, therefore, to conceptualize it except in normative terms. Activities cannot be described in non-normative terms. To describe an activity is to distinguish, even if implicitly, better from worse forms of that activity. Thinking of communication in terms of problems and solutions, failures and successes, is therefore a logical consequence of thinking of it as an activity. Although Peters would very much like to do away with the modern anxiety about communication, it is unclear that his proposal for dissemination would eliminate what we in practice recognize, and what we may at some future point still come to recognize, as the problem or problems of communication. Again, Peters maintains that the traditional problem of communication has been that of perfect contact between individual minds and

souls, a problem he purports to solve by rethinking the very idea of communication. MacIntyre, however, has diagnosed a much more urgent, and far more interesting, problem of communication.

It is the kind of problem that has been historically overlooked precisely because of the way in which communication has historically been conceptualized. Thinking about communication in terms of transmission determines in advance what we take to be the problems and solutions of communication. MacIntyre, however, has diagnosed a very different kind of communication problem, one that simply cannot be analyzed, let alone solved, either by the theoretical framework of the transmission model or by theoretical alternatives that remain, in some fundamental respect, parasitic upon that model, dissemination being a primary case in point. The problem of an incoherent public discourse composed of bits and pieces of rival and incompatible moral vocabularies is the kind of problem that, according to MacIntyre, has eluded most every one of us. It is so widespread and pervasive that we have, by and large, failed to recognize it altogether. If MacIntyre's diagnosis is correct, then arguments for transmission and dissemination are merely symptomatic of a much deeper and more foundational crisis.

Moreover, thinking about the problem of communication as that of rival human communities mediated by an incoherent public discourse gives us a different way of thinking about both communication and the solution to its problems. That different way of thinking involves a shift away from the futile preoccupation with contact between minds and souls toward a more purposeful

preoccupation with conceptual understanding between rival human communities. The core problematic thus shifts from channels of transmission to languages of expression. And although language has been, and continues to be, an object of analysis by communication scholars, no one has brought more attention to the incommensurability between moral languages more than MacIntyre. If we give Kuhn credit for having identified a fundamental communication problem in the domain of science, then we ought to give MacIntyre credit for having identified a very similar problem in the domain of ethics.

The theoretical value of MacIntyre's mature thought lies in three distinct types of accomplishment. First, MacIntyre has issued a lasting challenge to Enlightenment-inspired moral theories that seek to resolve fundamental moral conflict by appeal to purely abstract modes of reasoning. Although it is common and even fashionable now to criticize "universal values," MacIntyre ought, again, to be given credit for having early on issued one of the most original and devastating critiques of Enlightenment-style moral theory. What might be called the communicative turn in recent ethics is due in no small measure to the provocative and disturbing insights of *After Virtue*.

Second, MacIntyre has treated relativism as a serious and lasting challenge to the possibility of securing rational agreement in matters ethical. His subtle analyses have led him to a highly nuanced account of relativism, one in which relativist theses about meaning are carefully separated from those about truth. It is in MacIntyre's systematic unpacking of the relativist thesis that

relativism becomes very much a question about communication and not just a question about some arcane matter of speculative philosophy.

Third, MacIntyre has challenged Kuhn by arguing against the idea that incommensurability precludes the possibility of communication. MacIntyre's answer to this problem, although it might at first seem somewhat difficult and inaccessible, is rather simple and straightforward. He confirms that incommensurable systems can still refer to a common subject matter, and that this common subject matter allows for the possibility of a shared conversation. MacIntyre simply proposes conversations based on more than one language. This is not, of course, to revert to the fragmented and incoherent public vocabulary with which MacIntyre's diagnosis began. It is, rather, to argue for a second-order conversation in which we exercise the ability to think and reason simultaneously in more than one conceptual language, each whole and complete.

Still, to have acquired an understanding of each other's beliefs is, at most, only to have clarified that in respect of which two communities might disagree. It is not, as yet, to have resolved that disagreement. The practical value of MacIntyre's thought lies in his practical proposal for systematic dialogue between those suitably caught up in fundamental moral conflict. Here, again, MacIntyre has offered something original. Unlike discourse ethicists who propose a substantive moral principle as a universal basis on which to conduct the conversation between individuals and communities in conflict, a principle that may be rejected right from the outset, MacIntyre proposes instead an *epistemic*

model of rational persuasion: the thesis that the validity and superiority of a given tradition lies in its conceptual power to account for disagreements with, and limitations within, other traditions. This is an argument from contingency, one that places critical emphasis upon shared standards and commitments by which to hold each other accountable and to evaluate the merits of each other's arguments. Although this proposal is liable to be overlooked, if not dismissed, on account of its sheer simplicity, it nonetheless holds the power to revitalize contemporary moral debate. For the adherents of a given tradition to be unable to account for their disagreements with some rival tradition is, in an obvious sense, to admit, even if only implicitly, a fundamental conceptual limitation. MacIntyre challenges us to a higher order conception of what the rational superiority of a given tradition consists in.

Given what I have argued is the threefold value of MacIntyre's thought, I therefore propose, once again, including MacIntyre in the canon of communication scholars and theorists. Indeed, it would be difficult to find a canonical scholar who can rival MacIntyre's achievement. He raises—and answers—fundamental questions about communication in large-scale modern democracies, the kinds of questions that doubtless would have resonated with a good number of the classical communication scholars. However, because of his role as a moral theorist and because of the density and abstraction of his language, MacIntyre's work on communication remains inaccessible even to his most intelligent readers. This dissertation has sought to change that. It has been written in the hope that MacIntyre will one day be regarded as a source of

original and provocative theses about communication in the same way that Kuhn has for a long time now been so regarded.

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