

“Communicative” versus Purposive Rationality

Proponents of discourse ethics seek to develop a conception of “communicative” or “discursive” rationality. Here I will use the two terms as synonyms, even though lately Habermas, following Apel, distinguishes “communicative” rationality from “discursive” rationality:

Since argumentative practices are, so to speak, a reflexive form of communicative action, the justificatory rationality embodied in discourse [=“discursive rationality”] does indeed rest to a certain extent on the communicative rationality embodied in everyday action; nonetheless, communicative rationality remains on a level with epistemic and teleological rationality. Communicative rationality does not constitute the *overarching* structure of rationality but rather one of three core structures that are, however, interwoven with one another by way of the discursive rationality that emerges out of communicative rationality.¹

However, in the “Theory of Communicative Action” communicative rationality *is* this discursive rationality:

The rationality inherent in this practice [of communicative action] is seen in the fact that a communicatively achieved agreement must be based *in the end* on reasons. And the rationality of those who participate in this communicative practice is determined by whether, if necessary, they could, *under suitable circumstances*, provide reasons for their expressions. Thus the rationality proper to the communicative practice of everyday life points to the practice of argumentation as a court of appeal that makes it possible to continue communicative action with other means when disagreements can no longer be repaired with everyday routines and yet are not to be settled by the direct or strategic use of force. For this reason I believe that the concept of communicative rationality, which refers to an unclarified systematic interconnection of universal validity claims, can be adequately explicated only in terms of a theory of argumentation.²

If the concept of communicative rationality can find explication only in a theory of argumentation—rather than, for example, in a simple theory of communicative action—then communicative rationality *is* a rationality of argumentation, that is, a *discursive rationality*. This does not imply that the distinction more recently drawn by Habermas is false—quite the contrary. Rather, it is the approach taken in the “Theory of Communicative Action” and elsewhere that is false when, instead of construing communicative rationality directly from the conditions of rationality of communicative action itself, the theory turns to the conditions of rationality of the *linguistic mediation* of communicative action. This linguistic mediation is understood as being *oriented to reaching understanding*, and its conditions of rationality are then in turn

explicated with recourse to the concept of the *discursive* “redeemability” of claims. The motive behind this approach has remained the same: whether we say that communicative rationality finds explication in a theory of argumentation, or that “the justificatory rationality embodied in discourse does indeed rest to a certain extent on the communicative rationality embodied in everyday action”, both formulations belie the mistaken attempt to fabricate some kind of essential connection between the rationality “proper to” communicative action and the rationality “proper to” discourse. Yet discourse rationality does not provide the explication of the (conditions of) rationality of communicative action, nor does it “rest on” it, either “to a certain extent” or at all. This chapter will provide a detailed demonstration of this argument, among other things. However, my concern here is a preliminary *terminological* clarification to avoid confusion. In what follows I will be using the term “communicative rationality” as Habermas did in the “Theory of Communicative Action”—and thus in accordance with its use in secondary literature as well, which should be a relief to the reader. This concept of communicative rationality corresponds to Apel’s concept of discursive rationality. In general I will prefer the term “communicative rationality”.

Proponents of discourse ethics aim to contrast and superordinate this *communicative rationality* to purposive rationality. In so doing they hope not to reduce purposive rationality to communicative rationality but rather to show that communicative rationality is the more comprehensive or “more integrative” rationality, and ultimately is authoritative in deciding the areas to which strategic rationality may be legitimately applied. In short, communicative rationality is to exercise ultimate authority over legitimacy.

In what follows I will first examine whether the project of delimiting so-called communicative rationality from purposive rationality has any hope of success (1.1).

I will then turn to Habermas’s attempt at this delimitation. Central to this attempt is the distinction between action oriented towards success and action oriented towards reaching understanding (1.2).

Finally it will be necessary to examine in detail how exactly the “rationality proper to the communicative practice of everyday life”, that is, the communicative rationality purportedly distinguishable from purposive rationality, “points to the practice of argumentation as a court of appeal” and how far this court’s jurisdiction extends. That is, we will need to examine how—and if—starting from so-called communicative rationality we can arrive at a discourse theory of rationality, and whether the communicative rationality “explicated” by this discourse theory can in fact be accorded the status of primacy (over purposive rationality) that discourse ethics claims for it (1.3).

1.1. THE UNRIVALLED STATUS OF PURPOSIVE RATIONALITY

A person can *rationally* lay a cement floor in his or her garage—for example, not painting himself or herself into a corner and having to walk over the wet cement after smoothing it—without his or her *action* being a rational one. Of course,

laying cement is an action; but there is a difference between evaluating the *way* in which a thing is done and evaluating the *action itself*. If he or she continues to lay cement matter-of-factly even though someone has just thrown at him or her what is clearly recognizable as a grenade, then the way he or she executes the particular task, that is, laying cement, may still be rational, but this action itself is not; he or she is not acting rationally (on the assumption of relatively normal interests on his or her part). One could say—and this accords with our ordinary use of language—that someone *performs* an action *in a rational manner*, which means pursuing a *particular goal* in a rational manner (which does not imply being “in rational pursuit” of that goal) whenever the agent is convinced with good reason that the manner in which he or she is proceeding is effective and adequate, in other words *efficient*. In this case the agent’s action satisfies the criterion of *instrumental rationality*. Yet *that* the agent performs the action, effectively or otherwise, can still be *irrational*. The standard of *purposive rationality* is decisive here; and it is in orientation to purposive rationality that the agent will weigh a particular end, such as laying cement, against other ends, as well as against means and side-effects, and come to the conclusion that it would be better to forget about laying cement and leave the garage.

And this is the question we need to ask about “communicative rationality”: does it raise the same claim as purposive rationality? The latter claims to supply the standard for the rationality of actions. Thus, is “communicative rationality” a standard for the rationality of actions or merely, like the rationality of laying cement, a standard for the rationality of *how* to perform certain actions—and actions of a specific type, that is, “communicative” or “discursive” actions? Proponents of discourse ethics claim that the concept of communicative rationality—allegedly in contrast to purposive rationality—represents an “*uncurtailed concept of reason*”;³ and yet the examples with which Habermas seeks to explicate this concept are all examples of *instrumental* reason, if even this.

We will return to these particulars later. Here we may raise the issue of the possible consequences of this distinction. If “communicative rationality” is merely a standard for the rationality of *how* to perform “communicative” or “discursive” actions, it is not at all in a position to recommend itself in comparison with purposive rationality, since according to this reading the rules of communicative rationality consist simply in those rules a person has to follow in order to communicate effectively, that is, in a way that will achieve the goal of reaching understanding. These rules could be traced back to instrumental rationality, which also means, as Karl-Heinz Ilting has already argued in his critique of Apel, that they would be merely *hypothetical* imperatives: one has to follow them *if* one wants to communicate effectively.⁴ Thus communicative rationality would be conceptually and practically subordinate to purposive rationality—conceptually, because communicative rationality is then nothing more than purposive rationality *under the assumption of the goal of communication as an unconditional end*. To borrow a phrase from Habermas, communicative rationality is in that case just a *derivative* of purposive rationality and not the other way around. And practically, because the question of *whether* it is rational in a particular situation to effectively commu-

nicate (or enter into a discourse) can be answered only according to the principles of purposive rationality.

But the first reading, according to which “communicative rationality” is a standard for the rationality of actions (and not only of the *way* they are performed), also shows “communicative rationality” in a poor light, since it is hardly possible that we could have two different concepts of the rationality of actions. And the thought that some obscure concept of “communicative rationality” could hold up against Weber’s concept of purposive rationality seems a priori implausible as long as we look closely at Weber’s definition without letting our judgement be coloured by the common bias that it is “instrumental”. Weber’s definition, famously, is:

Action is purposive-rational [*zweckrational*] when it is oriented to ends, means, and secondary results. This involves rationally *weighing* the relations of means to ends, the relations of ends to secondary consequences, and finally the relative importance of different possible ends. Determination of action *either* in affectual *or* traditional terms is thus incompatible with this type.⁵

Of course, there are certain flaws in this definition. What does “rationally weighing” mean, particularly if we consider conditions where time is scarce and a decision has to be made? Naturally we do not have to weigh all possible ends, means and secondary consequences against each other. There is a level of epistemic effort that is itself irrational. Thus, this weighing process (which in some circumstances could be very brief) does not necessarily need to identify and analyse various *concrete* means and secondary results or other ends that might be in opposition to the particular action; it is rather the *categories* “ends”, “means” (or, to put it better, “ways of realizing the end”) and “secondary results” that the decision-making process has to *orient* itself to, even if this is only to ascertain that one of these categories does not require any *further* consideration in a concrete situation.

I would therefore like to suggest the following definition:

A person’s action is rational precisely when the person has evaluated the action under the categories of ends, ways of realizing these ends, and side effects with at least as much epistemic ambition as the person has confirmed to be opportune at the time of the action.

Before this definition could serve a criterial function, we would have to clarify what it means to confirm something as opportune. However, for present purposes the definition is sufficient,⁶ namely, to illustrate the following:

If a philosopher makes the claim that someone could be acting rationally without acting in accordance with purposive rationality (and for Weber value-oriented rationality was only a preliminary stage to true rationality, that is, purposive rationality, and not on equal terms with it), then this philosopher necessarily has to adopt one of the following two positions:

- (1) A person’s action can be rational even if the person has not evaluated the action under the categories of ends, ways of realizing these ends, and side-effects with at least as much epistemic ambition as the person has confirmed to be opportune (i.e. in the person’s best interest) at the time of the action.

If we keep in mind that people can of course have not just egoistic interests but also interests aimed at the well-being of others—and it is the disregard of this circumstance that makes the critique of big bad purposive rationality and its allegedly egoistic and calculating nature so popular and so cheap, a moralizing attack on a straw man—then it is hard to avoid the conclusion that statement (1) is contradictory. Whoever accepts this claim either does not understand the meaning of the word “rational” or is ignoring it in the interest of false labelling.

The second alternative is to claim the following:

- (2) A person’s action is not rational if the person has not evaluated the action under the categories of ends, ways of realizing these ends, and side-effects with at least as much epistemic ambition as the person has confirmed to be opportune at the time of the action, but there is at least one *additional* aspect that could bear on the process of weighing ends, ways of realizing these ends, and side-effects.

Now, this claim is false. What further aspect could there be? One might be inclined to answer: morality. Of course one can take morality into account. One can account for the economy and aesthetics and environmental protection and one’s fellow citizens, and all of this can readily be subsumed under the concepts of ends, means (in the sense of ways of realizing these ends) and side-effects. The concepts of means, ends and side-effects cover everything that is at all worthy of consideration. There simply is no fourth aspect.

Furthermore, I would like to point out that this definition of a purposively rational action does not exclude actions that were evaluated with a greater epistemic effort than appears to be opportune for the agent in the given situation. Of course, as mentioned, this effort would then itself be irrational—just as entering into discourses and large-scale discussions is rather irrational in most situations.

It is furthermore unclear what one could possibly object to in Weber’s claim that purposive rationality is nothing other than the rationality of action per se. If the concept of communicative rationality presents itself at the same level of abstraction as, for example, cement-laying rationality, then actions are not subject to the standard of communicative rationality *as such* but only a *certain type* of action would be subject to this standard (or, to be more precise: the way actions of this type are performed is subject to this standard). And in this case an action can be communicatively rational without being *rational* (because an action can be instrumentally rational without being rational, that is, purposively rational). On the other hand, if the concept of communicative rationality claims to be at the same level of abstraction as purposive rationality—that is, if it claims to assess the rationality of actions as such—this claim also implies that rational action requires either *more* or *less* than the rational weighing of ends, means and side-effects. This claim contradicts the meaning of the term “rational”—the claim is false. There is no way out of this dilemma, and thus the attempt to identify a “communicative rationality” different from purposive rationality but equal or even superordinate to it is futile.

1.2. HABERMAS’S ATTEMPT TO DISTINGUISH COMMUNICATIVE RATIONALITY FROM PURPOSIVE RATIONALITY

Is this diagnosis confirmed by an examination of the particulars of Habermas’s attempt to carry out his project?

If we take into consideration the most grievous objection that Habermas has to field, we could sketch the path that Habermas’s endeavour takes as follows:

At the very beginning of the *Theory of Communicative Action*, under the heading “Rationality—A Preliminary Specification”, Habermas, while claiming to provide an analysis of the usage of the word “rational”, tries to define the two types of rationality by distinguishing between acts of assertion (oriented to reaching understanding) and so-called teleological action: whereas teleological action aims at *success*, assertion, in contrast, aims at *truth*. Later Habermas distinguishes other actions besides assertions from teleological actions, which leads to a general distinction between actions *oriented to reaching understanding* and actions *oriented towards success*.

According to Habermas, the rationality of both assertions and teleological actions is measured against the justifiability of the “validity claims” in question. However, he argues that the conditions of rationality are not the same for teleological actions and assertions, and evidently he believes that these differences in the *conditions* of rationality allow a distinction between two *concepts* of rationality.⁷ Thus the analysis of the conditions of rationality of action oriented to reach understanding leads him to the concept of communicative rationality.

Naturally, the decisive objection to Habermas’s endeavour to distinguish understanding-oriented action from success-oriented action—and thus communicative rationality from purposive rationality—is that the former can be traced back to the latter. This objection can be raised at two levels.

First, it could be argued that Habermas’s paradigm of action oriented towards reaching understanding, namely, communicative action, is simply a sub-class of success-oriented action, which would make the illocutionary (=understanding-oriented) speech acts that mediate communicative actions likewise success-oriented. Thus Habermas takes great pains to distinguish communicative action from success-oriented action—which, in the context of social interactions, he calls strategic action.

Second, one can always point out that, even *without* being embedded in success-oriented communicative action, speech acts oriented towards reaching understanding are directly success-oriented, quite simply because the illocutionary goal of reaching understanding is still a *goal*. Anyone wishing to communicate understandably obviously wants to *succeed* in communicating understandably. Habermas also tries to mobilize counter-arguments to this objection.

1.2.1. Habermas’s Explication(s) of the Concept of Rationality

Let us start then by examining Habermas’s attempts to explicate the concept of rationality. In the first round we will look primarily at those arguments that

Habermas provides for the thesis that so-called success-oriented actions and (understanding-oriented) assertions are categorically distinct from one another (and thus not reducible to one another) (1.2.1.1). Subsequently we will turn to the definitions themselves that Habermas provides for those purportedly different conditions of rationality for the allegedly different types of rationality, and we will investigate whether they are correct as well as whether, correct or not, they do in fact reflect the categorical distinction that Habermas wishes to draw (1.2.1.2).

1.2.1.1. *Actions Oriented towards Success vs. Assertions (Oriented towards Reaching Understanding)*

“The close relation between knowledge and rationality”, according to Habermas, “suggests that the rationality of an expression depends on the reliability of the knowledge embodied in it.” This is a non-sequitur.⁸ However, it is not so important for the course of the argument. Habermas continues:

Consider two paradigmatic cases: an assertion with which *A* expresses a belief with a communicative intention and a goal-directed intervention in the world with which *B* pursues a specific end. Both embody fallible knowledge; both are attempts that can go wrong. Both expressions, the speech act and the teleological action, can be criticized. A hearer can contest the *truth* of the assertion made by *A*; an observer can dispute the anticipated *success* of the action taken by *B*.⁹

By desiring us to see these two types of action (and “action” is the proper heading, not “expression”) as criticizable from fundamentally distinct points of view—here under the aspect of truth, there under the aspect of success—Habermas tries, right from the start, to frame matters so as to set a course for the distinction between different types of rationality. But the two actions can in fact be criticized from the same point of view. Whoever expresses something “with a communicative intention” *intends something*. Communication, for example: he at least intends to be understood. His end is to be understood. The attempt to achieve this end with the speech act can go wrong, as Habermas says. Yet “the attempt went wrong” is synonymous with “the attempt did not *succeed*”. And of course a speech act can be criticized for its lack of success—just like what Habermas calls a “goal-directed intervention in the world”.

Conversely, Habermas tells us:

The effectiveness of an action stands in internal relation to the truth of the conditional prognoses implied by the plan or rule of action.¹⁰

Thus we can also criticize a non-linguistic action for the falsity of its underlying prognosis. Here one could object that what is criticized as false in a propositional sense is not *the action itself*, whereas the *assertion* itself is criticized as false in a propositional sense; so that there is a difference here. Aside from the rather questionable relevance of this objection, it is also incorrect. It is based on a confusion caused by linguistic ambiguity. The word “assertion” refers to an *act* of assertion on the one hand and that which *is* asserted on the other hand. An assertion *qua*

speech act cannot be true or false, as Habermas himself knows very well.¹¹ Thus he writes that A “makes a truth claim for the asserted *proposition p*”.¹² In other words, the assertion qua *speech act* cannot be criticized as false in a propositional sense any more than a non-linguistic action can. The criticism “that is false” can only ever pertain to what is *connected* with the assertions and/or actions—with the proposition it conveys or with the underlying prognosis.

Of course, there is also a prognosis underlying the assertion. This means that the criticism “that is false” can refer to two different things: to the prognosis and to the asserted proposition. But this does not represent a fundamental distinction between “goal-directed actions” and assertions either. If I mail a letter containing some kind of message, then of course, just like an assertion, this act can be criticized first for the falsity of the conditional prognosis, second, along with this, for its ineffectiveness and third for the falsity of the message I included.

In short, the profound distinction Habermas would like to see between assertions and “goal-directed interventions” is not there. Not only can “goal-directed actions” be criticized under the same aspects as assertions, but there are also goal-directed actions that serve the same goal as assertions, namely, communication. Sending a letter or broadcasting a television programme or shooting a flame-gun *are* all examples of this sort of action, just like assertions. This means that the distinction Habermas seeks between purposive rationality and “communicative rationality” either fails to capture anything, or else comes down to the distinction between a general description and one of its subsets, like any other distinction between purposive rationality *per se* and one of the forms it can assume when applied to an end posited as absolute (e.g. as applied to laying cement). Habermas’s own definitions confirm this quite clearly:

... the rationality of an action is proportionate not to whether the state actually occurring in the world as a result of the action coincides with the intended state and satisfies the corresponding conditions of success, but rather to whether the actor has *achieved* this result on the basis of the deliberately selected and implemented means (or, in accurately perceived circumstances, could normally have done so).¹³

The rationality of the use of language oriented toward reaching understanding... depends on whether the speech acts are sufficiently comprehensible and acceptable for the speaker to achieve illocutionary success with them (or for him to be able to do so in normal circumstances).¹⁴

It is hard to miss the fact that this second definition is simply an *application* of the first, more general definition to the concrete case of the use of language oriented towards reaching understanding—nothing more. Thus even Habermas’s own definitions hold that the rationality of the use of language oriented towards reaching understanding is measured against the *same* criterion as the rationality of teleological success-oriented action.

Moreover, even if speech acts could be distinguished from other actions as Habermas would like to, that is, by means of different validity claims—which is not the case—it would still be very far from clear what this has to do with different types of rationality or different standards of rationality, since criticizing an

assertion as *false*, for example, is not equivalent to criticizing it as *irrational*. As I see it, it is Habermas’s strategy here to generate this connection by using the concept of claims and by suggesting a certain analogy to “goal-oriented intervention”. At the same time he involves the concept of justification, which naturally already has an internal connection with rationality:

In both cases the critic refers to claims that the subjects necessarily attach to their expressions insofar as they are intended as assertions or as goal-directed actions. This necessity is of a conceptual nature. For *A* does not make an assertion unless he makes a truth claim for the asserted proposition *p* and therewith indicates his conviction that his statement can, if necessary, be *justified* [*begründet*]. And *B* does not perform a goal-directed action, that is, he does not want to accomplish an end by it unless he regards the action planned as promising and therewith indicates his conviction that, in the given circumstance, his choice of means can if necessary be *justified* [*begründet*].¹⁵

Here Habermas seeks to profit from the unproblematic and uncontested thesis that the rationality of “goal-oriented actions” assumes a choice of means aimed at effectiveness. (Where Habermas errs, however, is in *reducing* the rationality of actions to just this.) He then attributes a *claim* not only to speakers in reference to the propositions they assert but also to actors in reference to the assumed effectiveness of the means. The analogy suggested here is this: when the rationality of goal-oriented actions rests on the justifiability of their specific claim, namely, the claim of effectiveness, then the rationality of assertions will probably rest on the justifiability of their claim to *truth*. Thus here we find one reason, among others, why Habermas places such a high value on the concept of the claim; without this, the analogy would look quite different, namely: when the rationality of a goal-oriented action rests on the justifiability of its effectiveness, the rationality of an assertion, too, will probably rest on the justifiability of its effectiveness.

I have just argued that “goal-oriented actions” and assertions can both be criticized under precisely the same aspects. In our context now this means: if “goal-oriented actions” involve a claim to effectiveness, then so do assertions. They involve the claim, as Habermas puts it, of being “sufficiently comprehensible and acceptable for the speaker to achieve illocutionary success with them (or for him to be able to do so in normal circumstances)”.¹⁶ In fact, however, the situation is even more unfortunate for Habermas: an agent does not attach the *claim* to a justifiable choice of means to his or her action. If I fumble around for the night lamp in the dark and alone; if then, in an illumination-oriented attitude (which, along with the understanding-oriented attitude, belongs to the larger class of success-oriented attitudes) I flick the switch to turn the lamp on, it is quite off-topic to speak of “raising claims”. I certainly *suppose* the effectiveness of flicking the light-switch—and even if I only make an *attempt*, I suppose that the attempt is worthwhile in one way or another. But as long as no other person is present whom I assure: “you can count on me, with this carefully considered action I will certainly succeed in making light”, then “claim” is a bad choice of word; this is not how we use the term. Thus this brings us back to my more correct formulation of the analogy, which is much less favourable to Habermas.

There are additional gaps in the argument worth mentioning. *Even if* an agent were to raise a claim, why must it be a claim to a justifiable choice of means—meaning, as Habermas uses the term “justifiable”;¹⁷ a choice of means that can be justified to *others*? If B holds an action to be promising, it follows at most that B considers the choice of means *justified*, that she considers herself to have good reasons for holding these means to be effective. She could, however, be entirely convinced—and there are no “conceptual necessities” of any sort that speak against this—that she is unable to justify this choice of means to *others*. Habermas’s thesis that agents have to assume the justifiability of their choice of means remains itself unjustified.

This also applies to the curious reduction of the rationality of action to the justifiability of the effectiveness of means to an already given end. Habermas himself writes:

With his assertion, A makes reference to something that *in fact occurs* in the objective world; with his purposive activity, B makes reference to something that *should occur* in the objective world. In doing so both raise *claims* with their symbolic expressions...¹⁸

Now, as long as we assume that B in fact does raise claims with her action, and if moreover we recognize that she of course makes reference to something that *should* occur, then at least *one* claim she raises is this: that a particular something *should* be, that is, that the goal she pursues *should* be achieved. But then obviously an action could be criticized not only for its ineffectiveness but also for its intended goal. Thus the rationality serving as the critical standard for actions would not at all be the curtailed, purely instrumental “rationality” of action of Jürgen Habermas, but rather the purposive rationality of Max Weber.

In addition, Habermas continually emphasizes how *three* validity claims are raised in connection with each speech act, and thus with assertions as well: not only a truth-claim but also claims to rightness and to truthfulness or sincerity.¹⁹ While these claims may perhaps not come into conflict within what Habermas calls communicative action, they certainly do outside of it. Moreover, ascertaining the rationality of an assertion requires deliberation, and once again it is purposive rationality that would seem to suggest itself as the standard for this process of deliberation. If Habermas intends to describe the rationality of assertions only *within* the assumptions of communicative action—and it seems to me that he cannot quite decide on this point, or at least the language he uses is not consistent—then the comparison with the rationality of so-called goal-oriented actions is misleading, since then, as already mentioned, these two rationalities are not situated at the same level of abstraction. More precisely, the one rationality, that of understanding-oriented speech acts, is then just a specific application of the other. If we follow this reading we end up with a communicative rationality that is not *demarcated* from purposive rationality, but rather *dependent* on it.

In summary: Habermas claims that success-oriented actions and assertions (oriented towards reaching understanding) can be criticized under the aspects of their effectiveness/ineffectiveness in the one case and their truth/falsity in the other; whereby this criticism refers to a *validity claim*. Habermas then presumes that the

rationality of a success-oriented action depends on the justifiability (towards others) of its specific validity claim—the claim to effectiveness—and that, analogous to this, the rationality of an assertion likewise depends on the justifiability of its validity claim, namely, the claim to truth. He then infers from the fundamental difference between these two validity claims to an equally fundamental categorical difference between the conditions of rationality of (understanding-oriented) assertions and those of success-oriented actions. The following objections, among others, suggest themselves. First, success-oriented actions and assertions can be criticized under precisely the same aspects. In particular (understanding-oriented) assertions can also be criticized under the aspect of their effectiveness. There is no relevant difference here between understanding-oriented assertions and success-oriented actions; rather, understanding-oriented actions *are* success-oriented, as are illumination-oriented flickings of light-switches. Second, normally we do not raise any *claims* with success-oriented actions. We *assume* the effectiveness of our own success-oriented actions, but we by no means have to *claim* this in front of others. For this reason alone the rationality of a success-oriented action cannot be found in the justifiability of its claim to others. Its rationality consists rather in the justification of a certain assumption for oneself. Third, the rationality of an *assertion* likewise does not consist in the justifiability of its possible claim to truth. It is one thing to reject the truth-claim of an assertion and another to criticize it as irrational. The truth of an assertion can be justifiable to others without the assertion being rational—it could, for example, under certain circumstances be wildly irrational to tell the truth, even a truth justifiable to others. Even if there were only a single case of this—although there are clearly countless such cases—it would be enough to falsify Habermas’s contention that the rationality of an assertion depends on the justifiability of its truth-claim. Thus Habermas’s argumentation is invalid.

1.2.1.2. Habermas’s Definitions of Rationality

So far I have been attacking Habermas’s concept of rationality by undermining its ostensible argumentative and explicative pillars; now it is time for a frontal assault on Habermas’s definition of rationality. It reads as follows:

Thus assertions and goal-directed actions are the more rational the better the claim (to propositional truth or to efficiency) that is connected with them can be justified [*begründet*]. Correspondingly, we use the expression “rational” as a disposition predicate for persons from whom such expressions can be expected, especially in difficult situations.²⁰

Does this definition stand up to scrutiny?

To begin with “goal-directed actions”: let us assume that someone receives a phone call that he cannot make head or tail of; he has no idea who the caller is, what motivations the caller has or what relation the caller could have to him, and a voice says: “Destroy your furniture post-haste!” Upon hearing this the man so instructed starts fires throughout the house, in the optimally justified conviction that this

is an effective method for destroying his furniture. Most people would describe this man’s action of effectively destroying his furniture in this context as “crazy” or “entirely irrational”, since they are well aware that the rationality of an action includes not least of all the rationality of the motivations behind it; yet, according to Habermas’s definition above, the action is simply “rational”. This sort of definition of rationality clearly conflicts with our use of language.

This entirely unsuited characterization of rational action, in blatant contradiction to our use of language, is not a mere lapse on Habermas’s part. He continues to speak this way. Thus we read:

Action has a teleological structure, for every action-intention aims at the realization of a set goal. Once again, the rationality of an action is proportionate not to whether the state actually occurring in the world as a result of the action coincides with the intended state and satisfies the corresponding conditions of success, but rather to whether the actor has *achieved* this result on the basis of the deliberately selected and implemented means (or, in accurately perceived circumstances, could normally have done so). A successful actor has acted rationally only if he (i) knows why he was successful (or why he could have realized the set goal in normal circumstances) and if (ii) this knowledge motivates the actor (at least in part) in such a way that he carries out his action for reasons that can at the same time explain its possible success.²¹

Again we can recall the counter-example of the man who destroys his furniture at the behest of a prankster on the telephone. An action is not yet rational when the reasons the agent gives for the action explain their possible *success*; for an action to be rational, these reasons have to justify the action itself and thus justify not just the choice of means but also the choice of end.

For all that Habermas likes to speak of the “curtailed” conception of rationality, it is his own conception that is curtailed. Habermas curtails the rationality of actions to mere *instrumental* rationality—which would never occur to a proponent of purposive rationality. This curtailed rationality, however, describes not the actual rationality of an action but only its hypothetical rationality, which obtains only *on condition* of the unqualified desirability of realizing a certain goal. An action that is rational only in the instrumental sense is as much a kind of rational action as a paper tiger is a kind of tiger. An instrumentally rational action is one that *would* be rational *if* a rational weighing of goals, means and side-effects led to the goal pursued. In other words, instrumentally rational actions are rational only if they also happen to be purposively rational. In addition, Habermas’s definition would still be false even in the limited terms of instrumental rationality, that is, in terms of the rational choice of means for a *pre-set* goal, because, contrary to his definition, a successful agent can act rationally even if he does *not* know and is mistaken about why he was successful (or why he would have been able to realize his goal under ordinary circumstances). For someone to rationally choose means, it is sufficient that, as Anglo-Saxon epistemologists say, he has fulfilled his *epistemic obligations*.²² One can be obligated only to things that are within one’s possibilities. Thus if an agent thoroughly considers the question of which means are suited to realizing a certain goal, carefully studies the options and consequently forms a solidly founded judgement according to the best of his knowledge and

understanding that the means M is the best suited, there is clearly not the slightest reason to call the action of this agent irrational when he uses these means, regardless of whether his error was due to faulty perception or anything else—as long as it was not due to a lack of epistemic *rationality* in his deliberative process. For it is quite logical that a person acts with instrumental rationality when he or she selects the means for a given goal *rationally*, which also means “with a view to expediency” (though not by itself “*de facto* expedient”). Rationality does not imply infallibility, or even infallibility given “appropriate perception”. Making a rational choice means choosing in a rational manner, by means of a process of rational deliberation and examination. To demand more would be irrational (since this demand quite evidently fails to make sense).

Thus Habermas’s definition of “goal-directed action” is incorrect in several respects.

Let us now move on to his characterization of the rationality of assertions.

To say that an action is rational, whether a speech act such as an assertion or any other kind of act, means nothing more or less than to say that it is rational to *perform* that action. A trip to New York is rational if it is rational to travel to New York. The assertion “Frank is truly a considerate and warm-hearted guy” is rational when it is rational to assert: “Frank is truly a considerate and warm-hearted guy.” If Frank is a very powerful man who credibly assures me that he will shoot me dead if I do not tell everyone I meet that he truly is a considerate and warm-hearted guy, and if furthermore my life is dear to me and upon thoroughly weighing the circumstances it appears rational to me to assert that Frank is truly a considerate and warm-hearted guy, then the assertion *is* rational, entirely independently of whether “the claim (to propositional truth...) that is connected with [it]” can be justified. In other words, the justification of the assertion has nothing to do with the justification of what it asserts, or with the thesis or proposition that it states.

Furthermore, Habermas could have seen this himself if he had only generalized what he himself says about expressions “which appear with the claim to truthfulness or sincerity” (indeed, why only this kind of expression?):

In many situations an actor has good reason to conceal his experiences from others or to mislead someone with whom he is interacting about his “true” experiences. In such cases he is not raising a claim to truthfulness but at most simulating one while behaving strategically. Expressions of this kind cannot be objectively criticized because of their insincerity; they are to be judged rather according to their intended results as more or less effective. Expressive manifestations can be appraised on the basis of their sincerity only in the context of communication aimed at reaching understanding.²³

Quite apart from the fact that it is not the *claim* to sincerity that gets simulated here (as is at best the case with certain jokes, for example) but the *sincerity* itself, there are obviously many situations where an actor also has good reasons to misrepresent matters of the “objective world”, that is, to lie with his assertions and not just with so-called expressive manifestations. There is no difference between these two kinds of utterance in this respect: it is only in the context of communication aimed at reaching understanding, if at all, that the rationality of an assertion is

determined by its truth (or, more accurately, by the actor’s attempt to fulfil the truth claim) or even by its justifiability. With regard to the point about justifiability, one might at first perhaps wish to object that precisely a lie seems to be more rational *as lie the more* “watertight” it is; so a liar would do well to come up with some matching arguments for the lie that he could use to “patch it up” if push comes to shove. However, this of course does not apply to all situations (such as when there is no time to plan these things) and also does not agree with Habermas’s use of the term *begründen* (=to justify or “to ground”), as will shortly become clear. As he uses the term, nothing can be *justified* with lies.²⁴ So we can stick to the statement that the rationality of an assertion cannot be determined by the justifiability of the truth of its propositional content outside of a situation aimed at communicative understanding. This also means that the rationality of persons cannot be determined by the justifiability of what they assert.

How does this look *within* a situation aimed at communicative understanding? With regard to the communicative use of speech acts Habermas explains:

With his speech act, the speaker pursues his aim of reaching understanding with a hearer about something. This illocutionary aim, as we will refer to it, is two-tiered: the speech act is first of all supposed to be understood by the hearer and then—so far as possible—accepted. The rationality of the use of language oriented toward reaching understanding then depends on whether the speech acts are sufficiently comprehensible and acceptable for the speaker to achieve illocutionary success with them (or for him to be able to do so in normal circumstances).²⁵

Of course, here one could reiterate the same criticism that, as we saw above, can be levelled against Habermas’s characterization of the rationality of action even if we are charitable enough to read it as a characterization of instrumental “rationality”; namely, that the rationality of the speech acts of the speaker who aims at reaching understanding do not in any way depend on whether they are comprehensible and acceptable or whether the speaker achieves illocutionary success with them or would be able to under normal circumstances. It depends solely on whether the speaker *is rationally justified in assuming* that the speech acts will achieve illocutionary success. Accordingly Habermas errs when, still leaning on the idea of *justifiability*, he goes on to argue:

Once again, we do not call only valid speech acts rational but rather all comprehensible speech acts for which the speaker can take on a *credible* warranty in the given circumstances to the effect that the validity claims raised could, if necessary, be vindicated discursively.²⁶

For one thing, it is possible in certain circumstances for a person to take on a credible “warranty” (a real warranty ruling out all fallibility could of course never be credible) for the discursive justifiability of a statement even when it is *not* in fact discursively justifiable. Moreover, it is already sufficient anyway, at least in the case of an assertion, if the speaker takes on a sincere and credible “warranty” for the truth of his or her assertion, that is, it suffices to produce the assertion in such a way that it is credible. It is entirely possible for speech acts to be credible that I would be unable to justify if they were called into doubt—such as a speech act of the form:

“Yesterday I was at home alone.” Since I clearly have no witnesses for the correctness of my statement and would also be unable to provide any otherwise telling evidence, I can hardly justify my statement. It would not even make sense to ask for a justification. However, the statement is nonetheless quite believable. One seldom sees simple observations get called into question. They are believed because the “warranty” for their truth (and not their justifiability) that the speaker takes on is credible. Moreover, as we have already seen in consequence of Habermas’s erroneous characterization of the rational choice of means or speech acts, speech acts can very well be rational even if the speaker cannot even provide a credible guarantee of *truth* to the hearer.

I would like to illustrate this and show how contrary Habermas’s definition of rational understanding-oriented assertions is to our use of language with the following example. At a party I find myself talking with a group of people, and the conversation turns to insects. Since I, who am not a biologist, only recently read about it in a standard reference work on ants, I say—purely oriented to reaching understanding, incidentally—“Yes, insects are pretty impressive. For example, the African Marathon ant can travel over 40 km without any food or water”; to which someone responds, “I rather doubt that.” I respond by appealing to the reasons for my assertion: “It’s true, I read that yesterday in the renowned work by Prof. Amoisius.” Whereupon my conversational partners—as it turns out, a group of ant researchers nominated for the Nobel Prize—explain to me: “It has been proven that Prof. Amoisius was mistaken, at least on that point. There were a series of studies that unequivocally disproved his claim.” And upon hearing this I am convinced that my assertion is false.

Moreover, my assertion was not only false but it also failed to meet the conditions that Habermas upholds for the *rationality* of an assertion: that is, I could not provide my listeners with any credible warranty for either the truth or the justifiability of my assertion and thus I was not in a position “to convince my conversation partners of the truth of my statement and bring about a rationally motivated agreement”. To the contrary, it is the experts who could claim every warranty for disagreeing with my assertion. Nonetheless, it would not occur to any competent speaker to describe my assertion as “not rational”. For of course it is a given that in using language in orientation to reaching understanding I am rationally justified in believing the information that I read about ants in a modern standard reference work on ants, and in repeating it to others with corresponding assertions. I am justified in doing this because I have *good reasons* for my belief in the correctness of the information and for my assertion.

An action, whether a speech act or any other kind of act, is rational when there are good reasons for it. Is this not what Habermas says, too? Now, at one point he does in fact say it:

We can summarize the above as follows: Rationality is understood to be a disposition of speaking and acting subjects that is expressed in modes of behaviour for which there are good reasons or grounds.²⁷

This is an incorrect summary on Habermas’s part of his own contentions, in that he is guilty of a conflation—unintentional, or strategic?—without which his “discourse fetishism” would be unthinkable. He conflates being *justified* with

being *justifiable to others*. If aliens were to “beam” me to their planet in another galaxy without anyone else noticing, and then “beam” me back shortly thereafter, then *for me* the thesis that aliens exist would be a very well-justified thesis, without my being able to justify it to others; they would think that I was a little under the weather. In other words, having good reasons for something, and being able to justify something to others, are two different things. Thus Habermas is simply incorrect when he says (I quote again):

For *A* does not make an assertion unless he makes a truth claim for the asserted proposition *p* and therewith indicates his conviction that his statement can, if necessary, be defended. And *B* does not perform a goal-directed action, that is, he does not want to accomplish an end by it unless he regards the actions planned as promising and therewith indicates his conviction that, in the given circumstance, his choice of means can if necessary be *justified* [*begründet*].²⁸

It is correct to say: *A* does not make an assertion unless he thereby expresses (sincerely or insincerely) that he has *good reasons* for his assertion. (The same holds for a “goal-oriented action”.) It is a contradiction to say “I just saw a pigeon land on the balcony for a second and then fly off” and then, upon critical questioning, “no, I do not have any reasons to believe in the correctness of my assertion.” Saying this would retroactively nullify the “assertion” as an assertion, and it could no longer be recognized as such by the other person. However, it is *not* a contradiction to say “I just saw a pigeon land on the balcony for a second and then fly off” and upon critical questioning to say “no, I’m sorry, I can’t justify the correctness of this assertion to you, *of course* I don’t have any proof, I don’t take photos of those kinds of things. You’ll just have to believe me.” This is very much an assertion, and, in contrast to the first example, a credible assertion, at least in so far as one has no reason to doubt the credibility of the speaker—and often we do not have any reason to. Of course, the speaker could try to justify *his credibility* (which is often impossible), but this justification is different from the justification of the assertion.

We can summarize our results so far as follows:

Habermas’s explication of the concept of rationality is untenable. In fact it evinces a certain carelessness of analysis to reduce the rationality of so-called goal-oriented actions to instrumental rationality. It is likewise false to tie the rationality of assertions, understood as speech acts, to the justifiability of their *propositional content*. In fact their rationality, like the rationality of all other actions, is set by the standard of purposive rationality. If we presuppose the goal of reaching understanding, then the rationality of speech acts is determined according to instrumental rationality, a derivative of purposive rationality. Furthermore, it is mistaken to locate the rationality of actions and speech acts in their justifiability to speakers/listeners and thus to bind them to certain practices of “discursive redemption”. An agent’s action is rational when it is *justified for the agent* (whereby to preclude any misunderstandings we should note that this “for” is relativist but not subjectivist, that is, for something to be justified for someone it is not sufficient that the person *holds* it to be justified). However, whether or not the action is justifiable to others

(or even justifiable as justified for the agent) is irrelevant. Thus all explications of rationality offered by Habermas have been refuted—including his explication of the rational conditions of speech oriented towards reaching understanding. The concept of rationality upheld by discourse ethics lacks any foundation.

1.2.2. The Failure of All Arguments against the Reducibility of Understanding-oriented Action to Success-oriented Action

We have seen that both understanding-oriented assertions and illumination-oriented flickings of switches are equally success-oriented and that the very same concept of rationality is applicable to both, namely, that of purposive rationality.

Habermas does not want to yield to the very evident fact that the orientation to understanding can be subsumed under the orientation towards success and that *all* actions are success-oriented; yet on the other hand—it is simply too blatantly clear—he cannot entirely resist it either. Thus Habermas’s arguments in his defence are downright contradictory on this point. He concedes that a “teleological structure”²⁹ is fundamental to *all* actions and that “at a general level, *all* actions, linguistic and non-linguistic ones, can be conceived of as goal-oriented activity.”³⁰ Nonetheless—and this is less comprehensible—even though every action is directed towards goals, that is, purposes, according to Habermas not every action is a purposive action. Here one can respond that the thesis *that there are actions aimed at purposes that are not purposive actions* is contradictory. There have to be errors concealed in Habermas’s argumentation in support of this thesis.

In the following section we will look at this argumentation using the example of the concept of communicative action that is so central to Habermas’s social theory. With this model of action Habermas intends to analyse “the linguistic mechanism of coordinating action by way of the illocutionary binding (or bonding) effect of speech acts”³¹ and explain “how social order is possible”.³² With this approach he hopes to set himself apart from explanatory models that take strategic action as their fundamental concept. According to Habermas, these models fail to explain “how contexts of interaction that emerge solely from the reciprocal exertion of influence upon one another of success-oriented actors can establish themselves as stable orders”.³³ Now, one might think that the genesis of social order allegedly exemplified by communicative action (the coordination of action through the binding effects of understanding-oriented speech acts) could be set off from the attempt to explain social order as the result of the reciprocal influences of success-oriented action only if communicative action were not *itself* a success-oriented endeavour. For then clearly the coordination of action achieved in communicative action would ultimately be the result of success-oriented interactions.

Yet Habermas (in the meantime) quite plainly refers to communicative action as purposive action.³⁴ Nevertheless, it is held to be distinguishable from strategic action. The criterion of distinction is supposed to be that in communicative action the action is coordinated by producing understanding, and because of this the orientation towards one’s own success is allegedly not “primary” in communica-

tive action. This would not help us identify a communicative rationality distinct from purposive rationality, since, as purposive action, communicative action is of course still subject to the standards of purposive rationality. But quite apart from this consideration, the distinction falls apart, for two reasons. First, as we will see, the concept of strategic action does not rule out the possibility of coordinating action through reaching understanding; thus communicative action is just a form of strategic action and the communicative agent is in fact primarily oriented towards his or her own success. Second, *reaching understanding* is—although Habermas resolutely denies this—*itself* a purposive action, as we have already seen. In Section 1.2.2.2 I will discuss the quite curious arguments with which Habermas seeks to evade this negative result and to deny understanding-oriented use of language its character of purposiveness.

1.2.2.1. *The Failure of All Arguments against the Reducibility of Communicative Action to Strategic Action*

Two preliminary conceptual clarifications are necessary to preclude potential misunderstandings.

1. Here I use the term “goal-directed actions” for all actions aimed at a goal. Whether or not this goal is external to the action is irrelevant. For of course actions that serve as an end in themselves are still ends or goals. If I raise my right arm simply for the sake of raising my right arm, this is a goal-directed action; the goal is simply to raise my right arm.

A *goal-directed* action—and there are no other types of action—is not necessarily purposively rational. Seen in light of purposive rationality it could be entirely irrational.

2. The term “strategic action” is not used here or by Habermas as it is used in ordinary language. When someone feigns love and wants only sex, then in ordinary language (although a rather embellished vein of ordinary language) we would speak of strategic action. Concerning strategic action in this sense, Habermas’s claims that strategic action can be guided only by “egocentric calculations of success” (which we will examine shortly) would be *prima facie* plausible. However, with strategic action Habermas means *goal-directed social action*, and I will show that Habermas’s claims regarding this type of action are an over-generalization. Strategic action in the sense intended here *can* be egocentric, but it can also be altruistic. As we will see, the *very same* holds for communicative action as well.

What is strategic action, and what is communicative action?

It is not entirely clear in all of Habermas’s characterizations of communicative action where the *definition* ends and the *theory* about it begins; that is, it is not always clear *what* exactly is included in the definition of communicative action. On occasion it is solely the condition “that participants carry out their plans cooperatively in an action situation defined in common” that is said to be constitutive

of communicative action.³⁵ This definition—which I will occasionally refer to as communicative action *in a broad sense*—dominates the secondary literature on Habermas, particularly as the two most prominent of Habermas’s characterizations of communicative action (which I will quote shortly) could be interpreted in this way—although they are not without ambiguity.

In the most clear and thorough definition of communicative action, however, Habermas is by no means satisfied with this one condition, nor with the reference to actions oriented towards reaching understanding; rather, he writes that, in the case of communicative action, action is coordinated via the “binding and bonding effects (*Bindungseffekte*) of speech act offers” and furthermore that “the way in which linguistic processes of reaching understanding function as a mechanism for coordinating action is that the participants in interaction agree about the validity claimed for their speech acts.”³⁶ In fact this definition of communicative action is the definitive one, as is confirmed by other text passages.³⁷ However, *there is nothing* that could meet this definition, since it is not possible to coordinate action the way Habermas describes.³⁸ In other words: *communicative action in its true and strict sense does not exist*.

This result is obviously devastating for Habermas’s theory, but perhaps it might still be possible to infer the conditions of communicative rationality from the *concept* of communicative action. After all, the conditions of strategic rationality could also be specified even if there were no strategic action for whatever reason. However, if communicative action, whether existent or not, can conceptually be subsumed under strategic action, then we still lack a communicative rationality that can be opposed to strategic rationality. How does Habermas draw the required distinction?

The teleological model of action is expanded to a *strategic* model when there can enter into the agent’s calculation of success the anticipation of decisions on the part of at least one additional goal-directed actor. This model is often interpreted in utilitarian terms; the actor is supposed to choose and calculate means and ends from the standpoint of maximizing utility or expectations of utility.³⁹

Habermas then distinguishes strategic action thus defined from “communicative action” as follows:

By contrast, I shall speak of *communicative* action whenever the actions of the agents involved are coordinated not through egocentric calculations of success but through acts of reaching understanding. In communicative action participants are not primarily oriented to their own individual successes; they pursue their individual goals under the condition that they can harmonize their plans of action on the basis of common situation definitions.⁴⁰

And elsewhere, in contrasting different types of action, namely, strategic, norm-regulated, dramaturgic and “communicative” action, he writes:

In all cases the teleological structure of action is presupposed, inasmuch as the capacity for goal-directed action is ascribed to actors, as well as an interest in carrying out their plans of action. But only the strategic model of action *rests content* with an explication of the features of action oriented directly to success; whereas the other models of action

specify conditions under which the actor pursues his goals—conditions of legitimacy, of self-presentation, or of agreement arrived at in communication, under which alter can “link up” his actions with those of ego.⁴¹

Already we can see that the distinction between communicative action and strategic action is *irrelevant* to the attempt to establish a rationality distinct from the purposive rationality applicable to purposive action; since strategic action, norm-regulated action, expressive or dramaturgic action and communicative action are all types of action wherein “the teleological structure of action is presupposed”, they are all evidently directed at goals and hence are purposive activities. Consequently the actions corresponding to these types of action are rational if and only if they are *purposively rational*.

Habermas could succeed in defusing this objection only by the great feat of showing that an action aimed at a goal somehow, bafflingly, is *not* necessarily a purposive action. As mentioned, he does in fact dabble in this sort of logical and semantic equivalent of squaring the circle; and, as also mentioned and as we will see in the next section, he fails in this.

Ironically, Habermas’s explanations of the alleged distinction between communicative action and strategic action quoted above not only betray the fact that both kinds of action are cases of purposive activity; they also, in direct contrast to Habermas’s intentions, betray the fact that communicative action *can be subsumed under strategic action*.

The treacherous words here are the italicized “*rests content*”. It should be clear that a definition A that rests content with the specification of fewer characteristics is for this reason broader and more comprehensive—that is, has broader application—than a definition B that names additional conditions that an object defined by B has to fulfil besides those specified by A. Thus logically whatever falls under the second definition can also be subsumed under the first. If we define an elephant as a large land mammal with a long trunk, then this definition also includes the consensus-oriented elephant, which has to fulfil the further condition of consensus-orientation. A consensus-oriented elephant is an elephant, even if not every elephant is consensus-oriented. And since, as Habermas correctly notes, the definition of strategic action is so modest and economical, it is comprehensive enough that it easily subsumes communicative action under its definition as well.

At this point it is already becoming clear that Habermas’s attempts to distinguish communicative action from strategic action are implausible from the very outset. They prove to be baseless on the face of it, even before one goes into details. Nonetheless in the following I intend to examine the details of these attempts. I will begin with the examination of the particular condition that according to Habermas communicative action is subject to, and subsequently will consider Habermas’s efforts to represent communicative action as not primarily success-oriented and distinct from the purported egocentrism of strategic action.

What, then, should we think of the central characterization that in communicative action the participants pursue their individual goals *under the condition* “that they can harmonize their plans of action on the basis of common situation definitions”?⁴²

It depends on how we interpret the word “condition”. If it is meant as in “the workers will work only under the condition that they are given ownership of some of the means of production”, then Habermas’s characterization of communicative action cannot be satisfied, and there is no communicative action. If, however, it is meant in the sense of a *framing* condition, in the sense of “circumstances”, then communicative action is an unexceptional form of goal-directed action.

Let us start with the first case. In this sense of condition, the statement that “in communicative action participants pursue their individual goals under the condition that they can harmonize their plans of action” means “in communicative action the following holds: if the participants cannot harmonize their plans of action, they do *not* pursue their individual goals.” Well: what then *do* they do? Do they die on the spot? Or pass out? For they would have to do—or rather, they would have to suffer—one of these two things for them to *not* pursue their individual goals whenever they cannot harmonize their plans of action. In a waking state one always follows certain individual goals, even in just sitting still and meditating; in this case the goal is just this, to sit still and meditate. This in turn means that the participants *cannot* place their participation under the condition stated, since this condition expresses an intention; thus, *in* realizing this intention and ceasing to pursue their individual goals they falsify it, since realizing an intention *is* successfully pursuing a goal. Even if we were to allow them this one goal as a kind of exception, this would still mean that those acting communicatively would have to prefer resigning themselves entirely through either death or coma to pursuing their individual goals without the hope of consensus. This is not rational.

According to the second possible interpretation, “in communicative action participants pursue their individual goals under the condition that they can harmonize their plans of action” simply means “in communicative action the participants pursue their individual goals in circumstances in which they can harmonize their plans of action.” Habermas has a rather unfortunate penchant for misplaced modal verbs. That people *can* harmonize their plans of action does not mean that they do. Thus this definition, taken literally, is also compatible with modes of action in which the participants bash each other’s skulls in. In the interest of charitable interpretation one may wish to cross out this modal verb “can”. The remaining definition can then be simplified to: “in communicative action participants harmonize their plans of action.” And in fact Habermas occasionally has recourse to similarly unequivocal formulations, above all in responding to critics who want more clarity:

I use the term *communicative action* for that form of social interaction in which the plans of action of different actors are co-ordinated through an exchange of communicative acts, that is, through a use of language (or of corresponding extra-verbal expressions) orientated towards reaching understanding.⁴³

But if this is all that Habermas intends to say, why did he not say it so simply and understandably from the very beginning? This relates to Habermas’s intent to incorporate a normative element into communicative action from the very beginning—hence all the talk of the “condition” that communicative action is subject to. Elsewhere he says explicitly that this is the condition “under which all participants

in the interaction *may* pursue their own plans”.⁴⁴ I have already demonstrated that such a normative interpretation of “condition”, namely, condition as (self-) obligation or (self-) commitment, is untenable, at least as a *limitation* on behaviour. The version of communicative action under discussion here, that is, communicative action as action under the coordination of plans of action, is not untenable; rather, it is banal and takes us nowhere. For it is quite clear that this sort of coordination of plans of action by no means has to necessarily contrast with purposive rationality and strategic action. Rather, it *often* contrasts with these: that is, opting for communicative action is often simply foolhardy and irrational, as it is whenever not doing so would bring certain advantages that upon careful consideration one values more than communicative action. On the other hand, it is on occasion very clever and flawlessly rational, which of course means: purposively rational.

These concerns about the possible compatibility between communicative action and purposively rational action in certain contexts have already been brought to bear against Habermas, by Michael Baurmann among others.⁴⁵ Habermas refers to him with the remark:

Other critics also support their arguments by referring to the fact that, here as there [in the strategic as well as in the communicative model of action], a teleological structure of action is presupposed; however, they identify the pursuit of illocutionary aims without reservations (as is envisaged in the model of communicative action) and the pursuit of perlocutionary aims through the agency of illocutionary successes already achieved with the egocentric pursuit of one’s own interests and aims permissible in the model of teleological or strategic action, and this leads to one model merging with the other. Such an identification is impermissible, even if the description of both cases is based on the same teleological language game of end-setting actors who pursue goals, achieve results and trigger off effects. For the illocutionary “ends” of reaching understanding cannot be defined without referring to the linguistic means of understanding: the medium of language and the telos of reaching understanding intrinsic to it reciprocally constitute each other.⁴⁶

When Habermas sets “ends” in scare-quotes in connection with the word “illocutionary”, he in fact implies that these are *not really* ends after all—just as I occasionally suggest, by putting “communicative rationality” in scare-quotes, that this is *not really* a form of rationality, as it is either a second-rate forgery of instrumental rationality or else mere fantasy. This will hardly have escaped the reader’s notice. In Habermas’s case, however, it will be unclear to everyone—including to himself (otherwise he could have used a different choice of words)—what prodigious entities these illocutionary “ends” are supposed to be if they are not really ends. As it concerns his “illocutionary ‘ends’” he is apparently unable to offer any alternative to the words “end” or “goal” and their synonyms. Why this is the case is quite clear.

I will return to the discussion of Habermas’s untenable views about illocutionary acts and ends later. For now I would just like to note that Baurmann by no means *identifies* “the pursuit of illocutionary aims without reservations” with “the egocentric pursuit of one’s own interests and aims permissible in the model of teleological or strategic action”; rather, Baurmann correctly observes that purposive

action is not necessarily egocentric, and thus *subsumes* rational communicative action under purposive action.

We should also note that Habermas’s response to Baurmann quoted above, however correct or incorrect it may be, is one thing for certain: irrelevant. For here Baurmann was not concerned to trace *illocutionary acts* back to purposive rationality (although he correctly claims that this is possible as well) but rather to trace *communicative action* back to purposive action in certain contexts. In certain contexts this reducibility *is* clearly given. Moreover, in all those contexts where it is not given we can easily trace communicative action back to plain irrationality.

Communicative action has this in common with other types of action. If, incidentally, we wish to begin as Habermas does by incomprehensibly distinguishing types of action according to *which conditions they are subject to*, regardless of how we interpret the word “condition”, we end up with considerably more types of action than those four that Habermas prefers to discuss. For example, hopping-on-one-leg action. According to Habermas, the agents engaging in communicative action pursue “their individual goals under the condition that they can harmonize their plans of action on the basis of common situation definitions”.⁴⁷ Similarly, the agents engaging in hopping-on-one-leg action pursue their individual goals under the condition that they hop on one leg. These agents are free to pursue such individual goals as getting a pedicure, writing an article or performing heart surgery—as long as they do it hopping on one leg. This might have aesthetic appeal, but is it rational? Similarly one could ask about communicative action: if the police are discussing with a kidnapper ways of delivering the ransom money, would they truly be acting rationally if they were to *harmonize* their plans of action with the kidnapper without illocutionary reservation—such as the plan to catch him?

Thus, communicative action can be irrational. Of course, it can also be rational—purposively rational. This is quite evident, and thus Habermas’s insistence to the contrary is nothing but dogmatism.

Habermas himself refers to game theory as an example of his theory of strategic action and approvingly quotes Otfried Höffe’s explanation:

The rationality criterion of game theory refers not to the choice of individual moves but to the choice of strategies. Stated in the form of a maxim for decision, the basic pattern runs as follows: “Choose the strategy which, in the framework of the rules of the game and in view of your opponents, promises to bring the greatest success.”⁴⁸

Now, as mentioned, it is evident that there will be situations in which, in the framework of the rules of the game (and even where there are no rules) and in view of the opponents, the most salient strategy to maximize utility is communicative action in so far as communicative action is possible. This is one of the results of game theory. When Habermas questions whether communicative action can also be purposively rational—when he disputes the claim that there is in principle no necessary incompatibility here—then he also has to question whether there could be a situation in which communicative action promises the actor more success. One might wonder how this could be thought to be a recommendation of communicative action.

Moreover, it is psychologically impossible for someone to knowingly choose an action that promises the *less* “success”, as communicative action does according to Habermas. Occasionally this is claimed to be possible under the banner of “weakness of will”. I believe first of all that this is a false description of the phenomenon of “weakness of will”. For it is, I repeat, psychologically as well as conceptually entirely impossible for someone to consciously choose an action that promises less *success* than an alternative action. Second, once again, it would be a questionable recommendation of communicative action if it were conceivable only as the product of weakness of will. Thus Habermas’s attempt to introduce communicative rationality as a form of rationality independent of purposive or strategic action misfires.

Andreas Dorschel, who came to this same conclusion, is of the opinion that the distinction is *nonetheless* “intuitively quite plausible”. Intuitions can lead us astray, and I find it difficult to even relate to this intuition of his. He summarizes his ambivalent stance as follows:

A suitable theoretical conception of this *prima facie* plausible typology including criteria remains desideratum.⁴⁹

If we consider that here we are dealing with *analytic* criteria and not with *epistemic* criteria, then this means that Dorschel finds a distinction *prima facie* “plausible” even though he admittedly does not know what it consists in. This should give us pause. However, he then tries to illustrate his intuition that the “opposition between ‘success-orientation’ and ‘orientation towards reaching understanding’” contains a “useful insight” with an example:

When it comes to ascertaining the truth of an assertion, then in a certain sense . . . it is not rational conduct to insist that the result of the examination has to orient itself around the fact that a negative result would bring certain financial advantages. The rationality that notably lacks in such an insistence cannot be purposive rationality, since the demand is nothing other than the expression of a purposively rational consideration. An orientation of action around this rationality—however one would like to label it in contrast to purposive rationality—seems to rule out rejecting something one has seen to be true and correct by appealing to the negative impact that the determination of its truth and correctness would have for one’s own success. In this sense, not “success-orientation” per se but the unconditional insistence on reaching one’s own success is in fact incompatible with the aim of reaching an understanding about something with others . . . (—unless, *nota bene*, just *this* was the *only* success that was ever at stake; then it could also be pursued *unconditionally*, because, collapsing into the goal of reaching understanding, it could never come into conflict with this).⁵⁰

How is it the expression of a purposively rational consideration if someone tries to achieve the goal of reaching an understanding with others that a certain assertion is false by appealing to the fact that this would bring financial advantage to himself or herself or to others? It is *not* purposively rational, since here the person is imagined to choose a means that is clearly entirely unsuited to achieving the goal set. The “rationality that notably lacks in such an insistence”, namely, the insistence that others hold a certain assertion to be false because they or oneself would then receive money, is very much a case of purposive rationality. And the

imperative not to let money decide *when it comes to ascertaining the truth*, that is, *when finding out whether or not a certain statement is true is the goal*, is simply a hypothetical imperative: a demand of instrumental rationality. Thus I cannot agree with Dorschel when, appealing to this admittedly very illuminating example, he claims that we can still “find sufficient meaning in the concept of orientation toward reaching understanding...to make the necessity to distinguish communicative actions from strategic actions at least *prima facie* plausible”.⁵¹ It is by no means a “necessity” to categorically *distinguish* a type of action A from the type of action B that includes it rather than subsuming the one under the other—rather, it is an error, even *prima facie*.

It does not look any more promising for Habermas’s attempt to attribute special moral significance to communicative action and to distinguish it from strategic action as not being primarily success-oriented or not subject to the ruthless sway of so-called egocentric calculations of success.

First of all it bears repeating that it is not only psychologically but also conceptually impossible for someone not to be primarily oriented towards his or her own success. Action is intentional, that is, intending something, that is, directed towards achieving goals, that is, success-oriented. If my behaviour is not oriented towards *my* success (the concept “success” should of course not be understood in terms of careerism) but rather towards Frank’s success, then my behaviour, if we can even call it this, is certainly not *my* action. It could be the case that Frank has planted electrodes into my brain by means of which he can override my will and control my body.

Of course, I can make others’ goals *my own*, even Frank’s goals. Thus in this way I can work for others’ success—even primarily, *in a certain sense*, in so far as I simply would like Frank to have success and thus work (quite strategically) to ensure that he has it, whatever (in certain limits) this success may consist in. Yet in a sense that is important for the theory of action—in the motivational sense—Frank’s success is *secondary* for me. I strive for Frank’s success only because I see a success *for me* in Frank having success. If I did not see a success for me in this, I clearly could not strive for Frank’s success. I *cannot* act otherwise.

Thus it is conceptually necessary that the actions of a person are oriented towards his or her own success; and “communicative action”, if it is action at all, is no exception.

As far as “egocentrism” is concerned, Baurmann also showed that the attempt to link egocentrism to strategic action per se is misleading.⁵² It is telling that Habermas does not go into Baurmann’s arguments individually. In any case it is easy to see that Baurmann is right. The agent in Kant’s dilemma, who decides based on his conscience to save an innocent victim of persecution and thus from death by lying, is acting strategically but not egocentrically. If the commander of a concentration camp tells a group of 10 prisoners that they can choose 1 candidate from among them to die, or else 5 of them will be killed, and the prisoners start to consider this; and one of them, A, knowing of the others’ altruism, persuades them with lies to pick *him or her*, claiming that due to a fatal illness he or she does not have long to live anyway—then this is strategic conduct in Habermas’s sense of

the term. In his concept of strategic action Habermas assumes “at least two goal-directed acting subjects who achieve their ends by way of an orientation to, and influence on, the decisions of other actors”.⁵³ A reckons with the others’ altruism from the outset; he or she anticipates that, if he or she were to tell the truth, the others would rule against taking him or her as victim. Thus he or she uses lies to influence the others’ decision. Thus, this is an example of strategic action. Yet we could not call it egocentric! Of course this martyr also acts in accordance with his or her own interests; otherwise, as mentioned, he or she has not acted at all. But it can be in a person’s interests to preserve others’ interests, and not just due to financially compensated lobbying, but because the interests of others, and these others themselves, are valuable to him or her. A person can have altruistic interests.

Conversely, communicative action can also be very egocentric. Habermas himself rejects the notion:

that communicative actors may not *also* be oriented each to his own success

and he continues:

but in the framework of communicative action, they can attain a sought after goal only through successfully arriving at an understanding; reaching understanding is decisive for the coordination of their actions.⁵⁴

But then reaching understanding, as Habermas himself says, only has “the instrumental role of serving as a mechanism for coordinating individual actions.”⁵⁵ This shows, for one thing, that reaching understanding and communicative action can be evaluated from the viewpoint of purposive rationality. Communicative action is simply an instrument (and thus the individual success orientation is *primary* and the understanding orientation *secondary*, and not the other way around as Habermas claims). Habermas writes:

This illocutionary success is relevant to the interaction inasmuch as it establishes between speaker and hearer an interpersonal relation that is effective for coordination...⁵⁶

So the coordinating function of speech acts lies in their illocutionary success, thus ultimately in their illocutionary force, of which Habermas says:

The illocutionary force of a speech act consists in its capacity to move a hearer to act under the premise that the commitment signalled by the speaker is seriously meant...⁵⁷

In other words, communicative action looks something like this: in communicative action the agents are after their own success. However, they can achieve this only through a linguistically mediated coordination of their actions with the actions of others. This coordination for the sake of achieving their ends proceeds such that the agents mutually and quite sincerely move each other to act under the premise, that is, under the expectation that they are ready to observe the commitments that they enter into with their speech acts. This means that in communicative action the participants pursue their goals by using their interactive partners’ lack of reservation, that is, their readiness to observe their illocutionary commitments, to coordinate action, thus ultimately making use of this readiness as

a means and framing condition in the achievement of their goals. We should add that the agents in communicative action of course also make use of their knowledge of the physical world. Without twisting the formulation too much, one can clearly say of communicative action, according to Habermas’s own explanations of it, that it is determined by “expectations as to the behavior of objects in the environment and of other human beings; these expectations are used as ‘conditions’ or ‘means’ for the attainment of the actor’s own rationally pursued and calculated ends.” This is the formulation that Weber uses. It is one of Weber’s definitions of purposive rationality.⁵⁸

Since communicative action is only an instrument for achieving one’s own goals, the communicative agents as such could be indifferent to each other. One does not necessarily communicate with them for their sake but rather for one’s own sake—one simply has to when one wishes to have success. A communicative agent could say, for example (and could even say it in front of the others given a sufficient position of power and self-confidence):

The plans of action and interests of my partners in interaction do not matter to me at all. As far as I’m concerned they can all go to ruin. Unfortunately, right now we’re all in the same boat. Since we can only accomplish this together, I have to reach an understanding with them and they have to reach an understanding with me. If the situation should change, I will do everything to get rid of these obnoxious people.

Communicative action does not protect against egocentrism.

Moreover, two brothers can also come to an agreement to bash in their aunt’s skull in her sleep while fully oriented towards reaching understanding. When they sneak into her room at night, where, because she is sleeping, she is not a partner in interaction but rather merely the object of their brotherly interaction, and they mediate their actions with understanding-oriented speech acts such as “Pull the cover away!” and “Hit her!”, this is an instance of communicative action, according to Habermas’s own definition. Murder, dropping atomic bombs on major metropolises, even genocide under certain conditions, could be examples of communicative action.

If one were to try to get around this—which Habermas does not—by revising communicative action to require the coordination of action not only among participants but also among all *affected*, then communicative action would become practically impossible. Why? Supposing I want to cook something with a friend: we have communicatively decided on a recipe. Have we? If we want to make something vegetarian, the butchers are affected by our decision, since then the share of our money that would have gone to one of them goes to the greengrocer. Thus we have to coordinate our decision with the butchers—with the butchers, plural, since clearly our decision to buy from butcher A would affect all other butchers as much as our original decision to make something vegetarian. Of course, our decision to cook *at all* affects all restaurant owners. In short it is quite clearly impossible to coordinate one’s actions with all the affected. Thus one may not read the word “participants” as “affected” in the definition of communicative action—since it is supposed to be a practice of *everyday life*. Thus it remains the case that

murder, dropping atomic bombs on major cities, and genocide can be examples of communicative action—examples of just that sort of action on which Habermas founds his moral justification programme.

To conclude our discussion of communicative action, we should add that Habermas occasionally denies his own procedure in defining communicative action. Thus, in response to the objection of Erling Skjeis⁵⁹ that his concept of communicative action collapses into an intentionalist theory, he writes:

I define communicative action purely by structural properties, not by subjective ones (such as the intentions and attitudes of the participants).⁶⁰

This claim contradicts his own definitions. I quote the central definition again:

By contrast, I shall speak of *communicative* action whenever the actions of the agents involved are coordinated not through egocentric calculations of success but through acts of reaching understanding. In communicative action participants are not primarily oriented to their own individual successes; they pursue their individual goals under the condition that they can harmonize their plans of action on the basis of common situation definitions.⁶¹

Clearly this refers to the goals and plans of action, and hence to something subjective. However, Habermas also believes without any doubt that communicative action can also be defined *solely* as being “coordinated...through acts of reaching understanding”. (Later I will show that this is erroneous and that communicative action *by no means* has to be mediated by “acts of reaching understanding”, that is, by illocutionary acts—unless we write this into the definition, with accordingly disagreeable consequences. We will see, moreover, that Habermas more generally cannot make his speech act theory and its emphasis on reaching understanding through validity claims at all fruitful for a theory of consensual coordination of action, and thus that the true “core” of the theory of communicative action is in fact merely illusory.⁶²) Yet, even if he were in a position to do this, it would not help him very much, since Habermas says about acts of reaching understanding:

An attempt to reach understanding with the help of speech acts succeeds when the speaker reaches his or her illocutionary goal in Austin’s sense of the word.⁶³

The goals of a speaker are, after all, the goals of a speaker, and thus quite evidently belong to the realm of the subjective. The goals of a speaker are his or her intentions. Since Habermas defines illocutionary acts only in terms of illocutionary goals and can define them only in this way, he also defines communicative action in terms of something subjective. We can see this again reflected in the following definition:

I have called the type of interactions in which *all* participants harmonize their individual plans of action with one another and thus pursue their illocutionary aims *without reservation* “communicative action”.⁶⁴

Reservations (which Habermas, moreover, understands as deceptive *intentions*⁶⁵) are subjective.

Moreover, the “justification” that Habermas offers for his claim that he defines communicative action solely in terms of structural characteristics is quite telling in its perversity. He writes:

Only on this basis can I assume, in the case of perlocutions, that the instrumental attitude of someone who only seemingly meets the conditions of communicative action (at first) remains unrecognized to the other, who sincerely fulfils these suppositions. An agent’s concealed intention is intermeshed with the *structure* of consent-oriented action.⁶⁶

First of all, his dichotomy between subjective characteristics and structural characteristics leads us astray, since there are structural characteristics that are also subjective, simply because there are structures that are subjective. The structure of a person’s preferences, for example, is one such subjective structure. Since Habermas implies an opposition here, he has to mean non-subjective structures when he speaks of “structure”. Now, the subjective is by definition that to which the subject has privileged access, which means that the subjective of a subject is in principle not equally accessible to everyone. In contrast, it has to hold of the non-subjective that it is in principle equally accessible to everyone. But this is precisely contrary to what Habermas suggests in his justification. If communicative action were defined in terms of non-subjective structural characteristics, then it would be entirely *inexplicable* how it could escape one participant’s notice that the other is *not* acting communicatively and thus that no communicative action really obtains. This would have to be clearly visible in the structures. If, on the other hand, we were to define communicative action in terms of the attitudes and intentions of the participants, then it is quite easy to explain how it could escape someone’s notice that the other is not fulfilling the conditions of communicative action—precisely *because* these conditions are subjective (and thus not equally accessible to others).

Furthermore, in his justification Habermas adduces the case where the *structures* of communicative action obtain although the speaker only seems to fulfil the conditions of communicative action, that is, she does *not fulfil* them. (That these structures obtain is how Habermas “explains” the possibility of not noticing the speaker’s instrumental attitude.) Now, based on the general rules of logic, communicative action can hardly be defined in terms of its structure if despite this structure obtaining *communicative action* does not obtain. In brief: Habermas’s explanation is, as he himself said of Skjei’s objection, “not particularly convincing”.⁶⁷

Since Habermas places so much weight on the “structure” of communicative action, one would like to know what this structure actually consists in. In his article against Skjei he says relatively little about this, and what he does say merely repeats precisely that type of contradiction that we have just seen. Thus for example he claims: “...the structure of consent-oriented action presupposes sincerity in all participants.”⁶⁸ If this really were the case, then how could the structure of consent-oriented action obtain *without* the participants’ sincerity? Apparently we are dealing here not so much with a structural presupposition after all, but rather, as we have seen, with a *definitional* requirement.

Elsewhere Habermas provides the following explanation—which I quote here at length because its recourse to the “structure” of communicative action is at the same time one more attempt to somehow distinguish communicative from success-oriented action (and also not quite distinguish it):

Of course, even in communicative action, the teleologically structured sequences of action of the individual actors pervade the processes of reaching understanding; it is, after all, the purposive activities of the participants in interaction that are linked up with one another via the medium of language. However, the linguistic medium can fulfill this linking-up function only if it *interrupts* the plans of action—each respectively monitored in terms of the actor’s own success—and temporarily changes the mode of action. This communicative coordination [*Schaltung*] by way of speech acts performed unreservedly subjects the action orientations and action courses—egocentrically geared toward the requirements of each actor involved—to the structural constraints of an intersubjectively shared language. These constraints force the actors to change their perspective: they must shift perspective from the objectivating attitude of an actor oriented toward success who wants to realize some purpose in the world, to the performative attitude of a speaker who wants to reach understanding with a second person with regard to something in the world. Without this switch to the conditions for the use of language oriented toward reaching understanding, the actors would be denied access to the potential inherent in the binding and bonding energies of language.⁶⁹

First of all, here (as in the other passages where Habermas speaks of the structure of communicative action) we do not find any answer to the question of what exactly this structure consists in. The structure of an object may in fact, among other things, *lead* to the constraint *x*, but the structure is not *the same thing* as this constraint. As long as Habermas does not precisely explain what the relevant structure of an intersubjectively shared language is supposed to be, we cannot know whether those constraints Habermas speaks of do in fact follow from this structure (Habermas could be in error here), nor whether they have anything to do with any particular structure at all. Thus Habermas offers us only the empty word “structure”, and whether this bears any content remains to be demonstrated.

We can see its lack of content in the fact that it is incorrect to say that the constraints of an intersubjectively shared language force a perspective shift towards the performative attitude. After all, *strategic* linguistic action is also linguistic action, that is, it makes use of an intersubjectively shared language. Habermas defines strategic action among other things precisely in terms of the absence of the performative attitude.⁷⁰ Thus, the use of an intersubjectively shared language obviously does *not* force us to assume a performative attitude. The “structural constraints” Habermas speaks of are not to be found.

Is it at least true of the communicative coordination by way of speech acts performed unreservedly that it requires subjects to assume a performative attitude and abandon egocentrism? As we saw above, strategic action can be altruistic, and, conversely, communicative action can be quite egocentric. In the next section we will see (and can draw support for this from Apel) that strategic action can also occur in a performative attitude. However, it is still correct that the coordination

of action by means of speech acts performed unreservedly involves the attitude (performative or otherwise) or, to put it better, the will of a speaker to reach an understanding about something. However, it is not in any relevant sense *forced*. For an event B (such as a shift in attitude) to be forced by a cause A (the mysterious powers of a “structure”, for example), it is necessary for A to precede B in time. This is a precondition of causality. Hopping on one leg does not force me to hop on one leg, rather it *consists* in hopping on one leg. Likewise the unreservedness of coordination consists in the unreservedness of this coordination; this unreservedness is just the understanding-oriented attitude of a speaker. In other words, the alleged “structural constraints” that Habermas speaks of are in reality nothing other than definitional conditions. “Unreserved communication is unreserved communication” is how Habermas’s insights into structural constraints can be summarized.

As regards the intriguing “interruption theory”, if someone wishes to hang a picture on the wall and is already holding it there with the nail through the eyelet, and then puts aside the picture and the nail because he or she has forgotten the hammer and starts to search for it—then he or she has not *interrupted* his or her orientation to his or her goal of hanging the picture, but rather *on the basis* of this orientation he or she is looking for the hammer. Using a means to an end does not “interrupt” one’s plans of action, it is part of the plan of action. Since the medium of language has this linking-up *function*, the function of coordinating action to reach a set goal, the use of the medium of language is not an interruption of the pursuit of this goal but part and parcel of it—and thus part of an orientation to success. It would be an interruption only if the agent took up the hammer not to drive the nail into the wall but to make music by banging some pots; or if the agent spoke not to coordinate action but just to have a nice chat about something.

Moreover, hammers also have structures (such as the relative length of the head and handle as well as the surface structure), and thus we can illustrate how Habermas’s theses under discussion here alternate between triviality and nonsense with the following theory of hammering action:

Of course, even in hammering action, the teleologically structured sequences of action of the individual actor pervade the processes of hammering; it is, after all, the purposes of the actor that are to be realised via the medium of hammering. However, the hammer as medium can fulfil this function only if it *interrupts* the plans of action—each respectively monitored in terms of the actor’s own success—and temporarily changes the mode of action. This hammering shift by way of hammering acts performed unreservedly subjects the action orientation and action course—egocentrically geared toward the requirements of the actor—to the structural constraints of a hammer. These constraints force the actor to change his perspective: he must shift perspective from the objectivating attitude of an actor oriented toward success who wants to realize some purpose in the world, to the hammering attitude of an actor who wants to adapt to the requirements a hammer imposes concerning its use with respect to something in the world. Without this switch to the conditions for the use of a hammer, the actor would be denied access to the potential inherent in the hammering energy of a hammer.

In summary:

Habermas’s own formulations already show clearly—even if unwittingly—that strategic action *encompasses* communicative action, i.e., communicative action is only a particular form of strategic action. If we understand communicative action as action in which the agents coordinate their plans with each other without reservations (the stronger reading, according to which the agents in communicative action pursue their interests only under the condition that they can coordinate their interests with each other, makes communicative action conceptually self-contradictory), then we can easily find contexts in which communicative action is purposively and strategically rational, along with other contexts in which it is clearly irrational since it is not purposively rational.

Furthermore, Habermas’s attempt to associate strategic action with egocentrism is as inapt as his attempt to associate communicative action with morality or altruism. There are strategic actions that are altruistic, just as there are communicative actions that are egocentric, depraved and criminal.

Also unfounded is Habermas’s claim to have defined communicative action in terms of structural characteristics. His own definitions, and even the formulations that he uses to reinterpret or, in other words, disavow them, all contradict this claim. And of course those “structural constraints of an intersubjectively shared language” that he attributes to communicative action in his “interruption thesis” also apply to linguistically mediated strategic action.

Thus we can conclude that this second approach to distinguishing between purposive rationality and a so-called communicative rationality, namely, by means of a distinction between success-oriented or strategic action on the one hand and communicative action on the other, also fails.

1.2.2.2. *The Case of Speech Acts*

Thus, illocutionary acts can be traced back to success orientation precisely when they are used in communicative action, since, as we saw, communicative action is *itself* success-oriented. As mentioned, Habermas himself disputes the interpretation “that communicative actors may not *also* be oriented each to his own success”,⁷¹ rather, he sees “the process of reaching understanding” in “the instrumental role of serving as a mechanism for coordinating individual actions”.⁷² Thus it is rather off-putting when in another passage, and contrary to his other definitions of communicative action, Habermas attributes to communicative action “those linguistically mediated interactions in which all participants pursue illocutionary aims, and *only* illocutionary aims”.⁷³ Elsewhere Habermas had more realistically allowed for “the pursuit of illocutionary aims without reservations . . . and the pursuit of perlocutionary aims through the agency of illocutionary successes already achieved” in communicative action.⁷⁴ If illocutionary acts are to take on an instrumental role in the coordination of actions, and if these actions themselves serve some other goals—and Habermas explicitly describes communicative action and “the carrying out of communicatively harmonized plans of action” as “purposive activities”⁷⁵—then communicative agents do not pursue *only illocutionary aims*,

but rather also goals such as that of building a house together in coordination (or something of this sort).

What if, however, in so far as this is at all possible, we were to consider illocutionary speech acts outside of those contexts in which they are means to an external goal? Then the question arises—and Habermas poses this question without realizing that one first has to prise these illocutionary acts out of their instrumental contexts such as those of communicative action—as to whether the pursuit of *merely* illocutionary goals is success-oriented. If not, then maybe here we will have found the context or object for which the conditions of rationality “are of a different calibre than the conditions for the rationality of successful purposive activity”.⁷⁶ I had to burst this bubble earlier in my brief discussion of Habermas’s response to Baumann’s objection. For if someone, for example, a speaker, has a goal, even an illocutionary goal, then he wants to achieve this goal. If he did not want this, then he would not have this goal. Success in pursuit of a goal consists in achieving this goal, and Habermas himself continually speaks of “illocutionary success”.⁷⁷ Thus if someone wants to achieve a goal, this *means* quite simply that he wants to be successful in the pursuit of this goal. And if someone wants to be successful in the pursuit of a goal—otherwise he would not pursue that goal in the first place—then he is evidently success-oriented.

Habermas does not overlook these logical and analytic connections entirely, since after all he remarks: “Certainly, at a general level, *all* actions, linguistic or non-linguistic ones, can be conceived of as goal-oriented activity.” Unfortunately, this holds not only at this “general” level but at every level, or, to put it better: this has nothing to do with any levels at all, and thus Habermas is mistaken when he continues:

However, as soon as we wish to differentiate between *action oriented toward reaching understanding* and *purposive activity*, we must heed the fact that the teleological language game in which actors pursue goals, are successful, and produce results takes on a different meaning in the theory of language than it does in the theory of action—the same basic concepts are interpreted in different ways.⁷⁸

Now, if we wish to distinguish Indian elephants from elephants, we must heed the fact that this distinction cannot be an *opposition*, since Indian elephants are after all elephants, and understanding-oriented action is doubtlessly a purposive activity and is thus subject to the standards of rationality for purposive action. Someone who desires not to concede this might lapse into arbitrary conceptual definitions to advance an argument that certainly cannot be justified in a rational and proper conceptual explication. Thus Habermas writes:

For our present purposes, it suffices [this formulation is revealing] to describe purposive activity in a general way as a goal-oriented and causally effective intervention in the objective world.... Underlying the plan of action here is an interpretation of the situation in which the goal of action is determined (a) independently of the means of intervention (b) as a state to be brought about causally (c) in the objective world.⁷⁹

This “general way” of description is, however, incorrect. For “purposive activity”, as the word clearly signals to each competent speaker, simply describes an

activity that is aimed at a purpose, a goal. The (a)s, (b)s and (c)s that Habermas so meticulously lists are the product of convenient fantasy.

If, however, just *for the sake of argument*, counterfactually, we were to assume that Habermas’s definition of “purposive activity” were correct, would Habermas’s new attempt to find actions that are not purposive actions be successful? To answer this question we should more closely examine how Habermas proceeds. He writes:

If we conceive of a speech act as a means whose end is reaching understanding [*als Mittel zum Zwecke der Verständigung*] and divide up the general aim of reaching understanding into the subcategories of, first, the aim that the hearer should understand the meaning of what is said and, second, the aim that she should recognize the validity of the utterance, then the description of how the speaker can pursue these aims does not fulfill any of the three conditions mentioned above.

And he continues:

a. Illocutionary goals cannot be defined independently of the linguistic means of reaching understanding. Grammatical utterances do not constitute instruments for reaching understanding in the same way as, for example, the operations carried out by a cook constitute means for producing enjoyable meals. Rather, the medium of natural language and the telos of reaching understanding [*das Telos der Verständigung*] interpret one another reciprocally: the one cannot be explained without recourse to the other.⁸⁰

All of these statements are inapt. Let us start with the last one. What is a telos of reaching understanding [*Telos der Verständigung*]? The German *Verständigung* (which is actually best translated as “communication” and not as “reaching understanding”) can describe a process of more or less successful communication or its result. Otherwise one also uses the expression in the sense of “agreement”, such as “the parties came to an understanding”. However, here “agreement” in fact means *compromise*; thus it would be simply false to claim, as Habermas does, that *Verständigung* also means mutual agreement in the more demanding Habermasian sense. Let us look past this. What is the telos of reaching understanding? “Telos”, as we know, means “goal”. The telos of “reaching understanding” in the full-fledged Habermasian sense means reaching mutual agreement. This is a flawless reconstruction of how we should understand “telos of reaching understanding”, and my explanation did not involve any reference to the medium of natural language.

Yet Habermas might mean more than this; he might mean that one cannot *achieve* the goal of reaching understanding without using the natural language as a medium, a means. Of course this is also unfounded. If I am out taking a walk with someone who earnestly desires to take a short-cut through a certain meadow and I think this a bad idea, I can just as well move him or her to come to an understanding with me using a sentence of justification as I can by gently taking his or her head in my hands and pointing it in the direction of the agitated and unfriendly-looking bull he or she had failed to notice—and unlike pointing with my finger, this would not be a sign, that is, a “non-verbal speech act”. Whereupon my friend, instead of responding to my “validity claims” with a “yes” of natural language, says

not a word but simply returns to the normal path with me arm-in-arm, entirely consensually—thus without any recourse to natural language.

And the cook? Since Habermas emphasizes that illocutionary goals cannot be defined independently of the means of reaching understanding, he is apparently of the opinion that, in contrast, the cook’s goal to prepare enjoyable meals can very well be defined independently of his cooking operations. Now, if we conceive of speech acts as means for the goal of reaching understanding and define this goal as Habermas does, then illocutionary goals cannot in fact be defined independently of the linguistic means of reaching understanding. According to Habermas, it is part of the illocutionary goal among other things that the hearer understands the meaning of *what was said*, that is, of the speech act in question. In other words, the illocutionary goal that the speaker pursues in executing the speech act is that *this very speech act* be understood and accepted. Thus the definition of the goal of a speech act, that is, of a certain means, refers to this very means. (As we will see shortly, the downright trivial circumstance that illocutionary goals cannot be defined without reference to speech acts does not mean that they cannot be achieved without speech acts.) However, these sorts of goals that involve the reference to certain means can readily be defined for the art of cooking. The *illoculinary* goal, let us say, of a certain concrete operation in cooking consists in *this very* operation leading to a certain enjoyable meal of a determinate amount. Obviously, then, illoculinary goals per definition cannot be defined without reference to the means of cooking. Yet the general goal of cooking, namely, making enjoyable meals, can be. The industrial production of enjoyable meals is also possible and would not be considered cooking. The same holds for the general and standard goal of speech acts, namely, the goal of *communication* in the broadest sense. Why do I say to someone, for example, “It’s raining”? If someone were to ask me: “Why did you perform this speech act?”, I would certainly not answer: “Because I wanted him to understand it and accept it as valid”, but rather: “Because I wanted to let him know that it’s raining.” After all, if I were to learn that the person understands only German, I would simply choose another speech act: “*Es regnet.*” The goal of expressing something or letting someone know something that I pursue with my speech act can be defined and achieved entirely independently of a particular speech act. I can even pursue it without any speech acts at all, as in the case with the bull.

Of course, I cannot define the *standard goal of illocutionary acts* in Habermas’s sense independently of these acts, since according to Habermas illocutionary acts are those acts in which illocutionary goals are pursued:

Acts of this kind [such as threats, for example]—acts that have become independent as perlocutionary acts—are not illocutionary acts at all, for they are not aimed at the rationally motivated position of an addressee.⁸¹

However, if I define illoculinary acts as those in which illoculinary goals are pursued, then the illoculinary acts lack nothing in this regard compared with illocutionary acts.

We can see, then, that Habermas arrives at his ostensibly profound distinction between a purposive activity such as cooking and an activity such as reaching

understanding with the help, not of astute philosophical analyses of language, but rather of arbitrary definitions. These definitions can equally well be applied to cooking, torturing, waging war and the art of manicuring to get the same results—all of these activities being, according to Habermas, very much purposive activities. The illocutinary goals of cooking, the martialary goals of waging war, manicurinary goals of manicure and the propagandary goals of propaganda can all be defined such that all of these goals cannot be defined independently of the means with which they are achieved (and, in the case of propagandary goals, these could even be linguistic means). Thus, despite his assurances to the contrary, speech acts, understood in the Habermasian sense as illocutionary acts, fall under his a, b, c-definition of purposive activity just as well or just as poorly as acts that he considers true purposive actions. Once again there is no basic difference between speech acts and other purposive actions. The goals of most speech acts in the most common sense of the term, namely, those performed with normal goals rather than illocutionary ones, can without the slightest difficulty be defined independently of the means of achieving them. Again there is no difference.

Above I mentioned parenthetically that illocutionary goals cannot be defined without reference to speech acts, but can nevertheless easily be achieved without them. If, for example, I say to someone who has a good command of English but is not familiar with the word “roll-on deodorant”: “Buy a roll-on deodorant please!”, then she will not understand this speech act, at least not sufficiently. “What is that?”, she asks. It is still my illocutionary goal that she understand this speech act; but the speech act itself has proven ineffectual as a means. What can I do? I could, for example, imitate the movements of using roll-on deodorant, sniff very demonstratively at my armpits and make an exaggerated expression of delight. This is also not a conventional sign and a use not of language but rather of imagination and acting ability; however, if the other person is of average intelligence, I will have achieved my illocutionary goal in this way. In other words, I will have reached my goal that a certain speech act be understood without using this speech act or any other speech act as a means. If someone were to object here—somewhat digressively—that the speech act in question had at least been uttered and thus was a means of reaching the goal *together* with my acting performance, this is as if one were to say that the means to reach my goal that someone sees the hippopotamus behind them include not just my agitated pointing in that direction but also the hippopotamus itself. This is not how we speak, at least not reasonably. Accordingly, in my example the illocutionary goal was definitely achieved without any *linguistic* means of reaching understanding.

Here, incidentally, there is no analogy to illocutinary goals. I can make an incomprehensible speech act understandable after the fact, but I cannot make an act that failed to provide a certain type and exact amount of an enjoyable meal successful after the fact. Illocutinary goals not only cannot be defined without reference to certain means, they also cannot be achieved without recourse to these certain means.

Let us now turn to Habermas’s exposition of point (b):

The speaker cannot intend the aim of reaching understanding as something that is to be brought about causally, because the kind of illocutionary success that goes beyond mere understanding of what is said depends on the hearer’s rationally motivated agreement. The hearer must, as it were, of her own free will give approval to agreement on a given matter by recognizing (the validity of) a criticizable validity claim. Illocutionary goals can be attained only cooperatively; they are not, unlike causally produced effects, at the disposal of the individual participant in communication. A speaker cannot attribute illocutionary success *to himself* in the same way that someone acting purposively is able to attribute to himself the result of his intervention in the nexus of innerworldly processes.⁸²

First, the speaker has to at least *bring about* his or her illocutionary success with his or her speech acts. This is clear above all when she tries to add support and plausibility to a speech act she has already performed with further justifications. If she did not intend any effect, she could dispense with all justification and leave the matter to chance. However, she does not do this. Rather, she intervenes, she in fact tries to bring something about on the part of the hearer. Now, to talk of an acausal effect is as much patent nonsense as talk of round triangles. “Effects have causes” is an analytically true sentence; it follows from the meaning of the word “effect” that an effect is produced by a cause. Thus, as long as the speaker has the intention to achieve or realize an illocutionary success (and Habermas uses these words as well), which means to *bring something about*, then she has no other option than to intend this success as something to be brought about causally. Of course, Habermas could always decide that whatever brings about the understanding is no longer to be called “cause”, just as he would prefer not to call the goal of reaching understanding a “goal” at all. Yet causes, goals and tables are causes, goals and tables, even when Habermas refuses to call them such.

Thus what Habermas intends to prove—that the speaker could not intend to bring about the goal causally or as something to be brought about causally—is already conceptually self-contradictory. Nonetheless, let us take a look at the other theses with which Habermas intends to justify the status of illocutionary goals as removed from causality.

According to Habermas, the “illocutionary success...depends on the hearer’s rationally motivated agreement.”⁸³ Yet precisely this speaks in *favour* of the causal realizability of illocutionary success. Rationally motivated agreement is agreement motivated by reasons. Yet it is an “ancient—and commonsense—position that rationalization is a species of causal explanation”⁸⁴ Our common sense tells us, and rightly so, that reasons are causes.⁸⁵ The burden of proof is on Habermas, although he fails to cope with it.

Of course this should not be seen as arguing that there is no difference between justification and force or compulsion. Rather, it is meant only to demonstrate that this difference is not to be found in a distinction between causality and acausality. We can see this from another perspective if we consider what the success of a compulsive measure such as a threat depends on. According to Habermas a threat can never be a justification or even an illocutionary act at all; and it fails when the person being threatened believes that the threatening person lacks the means to enforce it. In that case “the hearer contests the reasons that were supposed to

motivate her to act in the manner predicted by S [the person making the threat]”.⁸⁶ The acceptance of these reasons that the success of a threat depends on cannot therefore be enforced any more easily than the acceptance of an illocutionary act and the reasons that it depends on. Thus if the agreement to an illocutionary act, the recognition of the validity claims raised with this act, is “brought about acausally” (whatever this might mean), then this holds equally for the recognition of the claims to the means of enforcement raised with a threat. Moreover, this would still be the case even if it were true that illocutionary acts “rely on general, addressee-independent reasons that could convince anyone”.⁸⁷ This is, however, not true. Most illocutionary acts, such as those with which communicatively acting house-builders or treasure-seekers on the high seas coordinate their actions, can produce agreement only in so far as they all share a goal, that is, the *reward* for the efforts (and is this not an *empirical* motivation in Habermas’s sense of the term?). The reason offered in support of the illocutionary speech act “We have to risk shipwreck”, namely, “Otherwise the others will get there first”, might convince the treasure-seekers, but it would hardly convince everyone.

Incidentally, a post-metaphysical thinker like Habermas would have to concede that mental states are produced by physical states, namely, brain states (even if they cannot readily be identified with these). Physical states, however, as Habermas would agree, are physically caused. Now, the path from the utterance of a speech act to the agreement with it can also be described with physical concepts: the speech act causes sound waves, these cause vibrations on the eardrum, which cause certain electro-chemical processes in the brain and thus rational agreement. (Even if Habermas believed that justification does not take a physical path, but rather transports itself and its hearer into a transcendental realm of rationality, that, so to speak, instead of traversing the air it takes a short cut through a Habermasian hyperspace—Habermas does speak of the “extramundane”⁸⁸—even then the effect achieved, as effect, is, I repeat, conceptually necessarily causal. Of course, there is no transcendental realm of any sort.) Even justifications, understood as justifying speech acts, ultimately bring about rational agreement through physical processes. This does not undermine rationality; the assumption of the contrary thesis does.

According to Habermas, the approval “of her own free will” cannot be produced causally either. Not only can we reply by repeating the same arguments from the previous paragraph here, but we could also doubt whether the agreement of a hearer, such as the agreement with a justification, really does occur of his or her own free will. After all, Habermas speaks of the “forceless *force* of the better argument”.⁸⁹ It is precisely when considering rational arguments that one is no longer free to decide which ones one accepts and which not. This non-freedom does not mean an epistemic obligation, but rather an *unavoidability*: one cannot believe whatever one chooses; one does not *decide* to find x convincing, but rather one finds it convincing whether or not one wants to.⁹⁰

Here one might respond that the hearer is nonetheless not truly *forced* to agree. This is correct. But not everything that proceeds otherwise than by force is for that reason alone done as a result of free will. Certain things just happen automatically,

reflexively, vegetatively, in any case independently of my will. As Bernard Williams rightly noted, one cannot “just so”, from one moment to the next, believe an argument or hold it to be valid based on a decision.⁹¹ Thus the categories of free will and compulsion are out of place here.

But could this not present us with a difference from what Habermas calls “purposive activity”? Could the difference not consist in the fact that agreement, even if it does not occur of one’s own free will in the true sense of the term, nonetheless cannot be compelled by force? Now, trust, famously, also cannot be won by force. One cannot point a weapon at someone and say “trust me or I’ll shoot you”, and then expect this strategy to work. Nonetheless, and this is also well known, one can in some circumstances most certainly win the trust of someone with strategic action and purposive activities. One could have the targeted person mugged by accomplices and then come to the “rescue” with scenes of daring kung-fu action from a Bruce Lee movie. Or, in a more mundane version, one could return the wallet still full of cash. The use of fighting techniques in saving a mugging victim and the return of the wallet are not speech acts but rather purposive activities that one can perform mutely. Thus, with purposive activities one can bring about things (such as winning someone’s trust) that one cannot force. These activities are no different from speech acts in this regard.

Moreover, it would change nothing about this situation if one now tried to combine the rationality argument and the agreement argument in the objection that one cannot *rationally* win trust in the way described. This objection is false. If someone continually risks his life to save mine, even without saying a word, and is constantly returning my wallet even if he could have used the money himself, and stands loyally by my side in a crisis, then it is highly rational of me to trust this person (as long as there are no indications of anything suspicious about him).

For Habermas the condition of freely given cooperation is also incompatible with causation.⁹² Here we could object that at the level of mere agreement there is no cooperation of any kind. We can repeat the same arguments here that I used above against the idea of agreement out of free will. If a hearer considers the argument of a speaker and believes it, this is not the expression of a decision but rather a cognitive automatism, an unavoidability. We can hardly speak of “cooperation” here.

Cooperation can of course be necessary at another level. Before this cognitive automatism can provide a result independently of the *immediate* will of the person considering the argument, it is necessary *that* the person consider the argument. The person can wilfully refuse to do so (which, incidentally, is not per se irrational). However, this is not a gain for Habermas. Since every instance of cooperation depends on the will, and the will can in principle be compelled by force, every instance of cooperation, even the act of taking an argument into consideration, can be compelled by force. The intractable sceptic, for example, who out of an irrational fear of landing in performative self-contradictions has been obstinately refusing to put himself in an argumentative situation (this is Habermas’s picture of the sceptic) could after all be held at gunpoint and told: “If you don’t start to argue with us sincerely, to critically scrutinize our theses

and deliberate about them rationally—and as you know, we have the means to find out if you really are—we will have to resort to rather unfortunate sanctions.” Thus whatever cooperation might be necessary for speech acts can also in principle be compelled by force just as much as the cooperation of the slaves who built the pyramids. Once again there is no difference between speech acts and purposive activities.

So we can conclude that illocutionary goals are states to be brought about causally. In this regard they are not distinct from purposive activities. Those properties that Habermas adduces to demonstrate the distinctiveness of understanding-oriented action cannot be found in this kind of action or else can be seen equally in the classic purposive activities in the Habermasian sense.

Readers who might have felt that my talk of “Habermasian hyperspace” was a polemical exaggeration might change their mind in view of Habermas’s explanations of point (c):

Finally, from the perspective of the participants, the process of communication and the result to which this is supposed to lead do not constitute innerworldly states. Persons acting purposively encounter one another solely as entities in the world, despite the freedom of choice they mutually attribute to each other; they are accessible for one another only as objects or opponents. Speaker and hearer, by contrast, adopt a performative attitude in which they encounter one another as members of the intersubjectively shared lifeworld of their linguistic community, that is, in the second person. In reaching an understanding with one another about something in the world, the illocutionary aims they pursue reside, from their perspective, beyond the world to which they can refer in the objectivating attitude of an observer and in which they can intervene purposively. To this extent, they also remain in a transmundane position for one another.⁹³

Habermas speaks here of things that are supposedly not innerworldly, but rather *beyond*; and of the “transmundane”. In the *Theory of Communicative Action* he also talks in the same context of the “extramundane”.⁹⁴ These explanations by Habermas are anything but post-metaphysical.

To remove any doubt: of course I, too, do not believe that a process of communication is an innerworldly state; not because it is not innerworldly, but because a process is not a state. Since a process of communication, as mentioned above, is ultimately a physical process, it is certainly innerworldly. It is no less innerworldly from the perspective of the participants; in fact, it is not at all clear what it would even *mean* to say that the participants readily outsource the process of communication to a place beyond the world—how do they do this? What is going on in their minds when they do? And where does Habermas actually *demonstrate* that the participants in the process of communication imagine the process and themselves outside of the objective world?

Perhaps the following example may help to show that the participants in a process of communication do not believe themselves departed from the world. If I call out to someone I see on the street: “Look out, a car!”, then I do not believe that he or she is transmundane or extramundane or that the car will pass through him or her like a ghost; rather, I assume that my communicative partner is a physical

object that cannot exist in the same spot at the same time as another physical object. In fact this is one of the motivations for my warning; otherwise I would not worry about it. Another motivation is that I also see him or her as a *subject*, as an end in himself, and thus I assume that he wants to live. Seeing someone as a physical object does not in any way exclude seeing him or her as subject at the same time. Moreover, I in fact yell in his or her direction rather than organizing a *séance*.

Those sentinels of hermeneutic endeavour unaware that even authors have certain commitments might now claim that Habermas “didn’t mean it *that way*”, but rather wanted to underline the various attitudes in which agents can meet each other. Now, if it was said a certain way but not meant that way, then it is just rhetoric.

Moreover, Habermas seems to *actually* distinguish the objective world (the only one there is) from the subjective and social world. It is important to him that he does not, like Popper, just mean different sectors of the *same* world (which would be reasonable), but in fact *different worlds*.⁹⁵ If these different “worlds” were in fact different *worlds*, then one might assume that the objects of the one could hardly have an impact on objects of the other. But they can. One can exert a chemical, that is, physical influence on one’s feelings, that is, one’s subjective world, with pills, that is, physical objects. And norms can influence and even regulate the movements of physical objects, such as cars in traffic. In other words, a legal norm is just as much a part of the objective world as a stone and an emotional impulse. Habermas himself conceives the objective world “as the correlate of the totality of true propositions”.⁹⁶ One can clearly make true or false propositions about personal feelings just as much as one can about the existence of social norms and physical objects. Habermas, moreover, has never once even tried to lend any plausibility to his assertions to the contrary.

As far as the question of *attitudes* is concerned, and the manner in which we encounter people, it is simply incorrect to say that in purposive activities or strategic action we encounter others only as mere objects or as opponents. I made it clear above that strategic action in no way excludes altruistic motives or seeing others as persons. I can do something *for* another (and thus see him or her as subject). In strategic action, whether linguistically mediated or not, one can encounter the others in the second-person mode.

Incidentally, as Apel remarks against Habermas, this also holds even if we put aside altruistic contexts. Apel writes:

In fact I find it false, for example, to equate the rationality of *strategic* action with that of *social engineering*, which does in fact divide people into subjects and mere objects of nomological explanations or prognoses and thus objects of administration and planning. In my view we could instead say that the basic difficulty of all social technology—the difficulty of self-fulfilling and self-destroying prophecy—demonstrates precisely that point at which social technology turns to *economic-strategic* or *political-strategic interaction* between the social engineers and their human “objects”...

These examples also show that the rationality of strategic action is in principle not a rationality of the *subject-object relation* but rather of *interaction*—often even a rationality

of *linguistic communication*—between *subjects*; and this despite the fact that the subjects of strategic interaction actually do attempt to instrumentalize each other within their frameworks of utility calculation...⁹⁷

Of course, I do not share the opinion that strategic action necessarily implies instrumentalization. However, I do very much share the opinion that one also encounters others as subjects in instrumentalizing and authentically egocentric strategic interactions.

Thus Habermas’s demarcation of speech acts from purposive activities also proves to be illusory in terms of attitudes as well.

Our discussion of the points (a), (b) and (c) has shown that Habermas’s attempt to distinguish speech acts from purposive activities fails even if we assume that with purposive activities the goal of action is determined “(a) independently of the means of intervention (b) as a state to be brought about causally (c) in the objective world”. We should recall here that this assumption was counterfactual and that it is ultimately irrelevant whether purposive activities satisfy these conditions. Purposive activity is activity aimed at a purpose, a goal. Teleological action is action that is teleological. It is, in fact, just this simple. This makes it rather disconcerting when Habermas’s definitions of purposive and teleological action evince profound confusions and are in consequence thoroughly false. To take just one of the many examples of this:

Since Aristotle the concept of *teleological action* has been at the center of the philosophical theory of action. The actor attains an end or brings about the occurrence of a desired state by choosing means that have promise of being successful in the given situation and applying them in a suitable manner. The central concept is that of a *decision* among alternative courses of action, with a view to the realization of an end, guided by maxims, and based on an interpretation of the situation.⁹⁸

Regarding the first and second sentence, one does not have to apply the means “in a suitable manner” in order to act teleologically. If Bob wants to shoot Bill and grabs the pistol, but unfortunately for him grabs it the wrong way around and pulls the trigger, he has obviously *not* applied the means, that is, the pistol, “in a suitable manner”. Nonetheless, his use of the weapon is without doubt an example of purposive action. Moreover, the means does not have to “have promise of being successful”, at least when this means anything more than “subjectively promising”. Concerning the third sentence, it is rather bizarre to take decision as the central concept. Clearly the concept of *telos*, of *goal*, is the central concept for teleological action. Furthermore, teleological action by no means requires guidance by maxims. It is called teleological action, not deontological action.

Elsewhere Habermas varies the definition so that the focus is on “an *action plan* based on an *interpretation of the situation* and aiming at the realization of a goal, enabling a *choice* to be made between *alternative actions*”.⁹⁹ Now, action alternatives are not given in *an* action plan, singular—what would the alternative be?—but in action *plans*, *goals*, and, in so far as the action is not an end in itself, *means*. Moreover, the existence of actions that are ends in themselves speaks against the central role of the action plan. If I want to raise my right arm, then the raising

of this arm is the goal of my action, it is itself an end. There was an *intention* underlying the raising of my arm, but, in view of the primitivity, the simplicity of the action—a *basic action*¹⁰⁰—it would be quite an exaggeration to speak of an underlying action plan.

Despite its falsity, the definition just considered—which continually recurs throughout Habermas’s writing in diverse variations and thus can be seen as more definitive than the ad hoc a, b, c definition—shares one aspect with the definition that I proposed as correct, namely, that it quite reasonably declines to say anything about certain things. To wit:

In contrast to Habermas’s (a), (b), (c) definition, it says, firstly, nothing about the relation of the means to the *determination* of the end of action. Secondly, the word “causal” does not occur, nor any synonym. Thirdly, the definition says nothing about “which world” (whatever that is supposed to mean) the goal of action is located in or which attitude the agents encounter each other in. In other words, whether the goal of action is determined independently of the intervening means; whether the goal is brought about causally, acausally, magically, metaphysically, subphysically, illocutionarily, perlocutionarily, revolutionarily or parasitically; whether it is found in the first, second or third world, in hyperspace or in the Platonic realm of the ideas; whether the agents encounter each other as first, second or third persons, ghosts, objects or divinities in objectifying, performative, pejorative or perverted attitudes—for Habermas’s own definitions of teleological action that are less oriented towards proving the thesis, all this is irrelevant to the question of whether an action is purposive activity. Thus Habermas’s defences of the points (a), (b) and (c) discussed above are not only false; they are irrelevant.

We can summarize the results of Section 1.2 as follows: both understanding-oriented speech acts—whether or not embedded in communicative action—and communicative action itself are *success-oriented*, as is all action. Thus the same standard of rationality that applies to communicative action and speech acts oriented towards reaching understanding applies also to root canal treatments, hammering nails, sending letters, murdering rich aunts, deceiving one’s opponents and all other actions—namely, the standard of purposive rationality. Habermas’s “communicative rationality” is either one particular case of instrumental rationality—just as the rationality of laying cement is—and thus it does not serve as a standard of rationality for actions as actions but rather only for the way that actions of a certain type are executed—or else it is simply a phantasm. Purposive rationality remains the sole standard for the rationality of actions.

1.3. FROM ACTION ORIENTED TOWARDS REACHING UNDERSTANDING TO A DISCOURSE THEORY OF RATIONALITY

We have already seen that the proponents of discourse ethics fail in their attempt to single out a communicative rationality that cannot be traced back to purposive

rationality. At the centre of this critique was Habermas’s distinction between action oriented towards success and action oriented towards reaching understanding, or more specifically between strategic action and communicative action. The following will examine in greater detail the implications that Habermas wants to draw from the distinction and whether these implications stand up to scrutiny.

Habermas would like to arrive at a conception of discursive reason, of reason in which justification is intersubjective and requires one to be able to move *others*¹⁰¹ to rational acceptance of one’s own “validity claims”. “What grounding [*Begründung* = justification] means, can be explained only in connection with the conditions for discursively redeeming validity claims.”¹⁰² To put it concisely, justification is equated with justifiability to others, which of course explains the particular significance assumed by the notion of consensus.

Above (1.2.1) I criticized Habermas for tying the rationality of what he calls purposive activities to their justifiability in the first chapter of the *Theory of Communicative Action*. In his later writings this is no longer his intention, or at least, as we saw, his definitions are no longer formulated this way. However, concerning the rationality of *speech acts oriented toward reaching understanding*, which stem from the equally understanding-oriented communicative action, he continues to uphold the equation of rational with justifiable and thus the close internal connection to argumentative practice,¹⁰³ about which he says in his *Theory of Communicative Action*:

Thus the rationality proper to the communicative practice of everyday life points to the practice of argumentation as a court of appeal that makes it possible to continue communicative action with other means when disagreements can no longer be repaired with everyday routines and yet are not to be settled by the direct or strategic use of force.¹⁰⁴

Here we already have a reference to discourse *ethics*.

Of course, the question arises *how* exactly the (instrumental) rationality proper to the communicative practice of everyday life points to the practice of argumentation and thus to *discourse*, and moreover whether this “pointing to” allows for the far-reaching conclusions desired. It seems that what would have to be demonstrated for the Habermasian theory is *that a communicative, that is, understanding-oriented practice of everyday life is rational if and only if a speaker can justify to others the speech acts she performs in this practice and thus in principle can consensually redeem his or her “validity claims”*.

Sometimes Habermas characterizes the rationality of understanding-oriented speech acts in this way, and sometimes not. I have the impression that it is not entirely clear to Habermas that only the validity of this characterization, if anything, could serve as the bridge from communicative action to the assumption that it is the “consensus-fitness” [*Konsensfähigkeit*] of a norm, that is, its ability to find unanimous acceptance in practical discourse, that proves it to be *rational*. And this assumption is of course indispensable if, like Habermas, one claims to describe discourse ethics as a *morality of reason* [*Vernunftmoral*], that is, if one claims that the observance of moral norms (that are discourse-ethically justified) is *rational*. However, if Habermas does not support the argument I proposed here based on my judgement that it is suggested by at least *one* textual passage, then he does not have any argument.

The text passage I refer to is a footnote more precisely specifying the following formulation, which Habermas uses again and again but which is nonetheless not sufficient to “point to” discourse:

An assertion can be called rational only if the speaker satisfies the conditions necessary to achieve the illocutionary goal of reaching an understanding about something in the world with at least one other participant in communication.¹⁰⁵

And the decisive commentary in the footnote reads:

A speaker who makes an assertion has to have a “reserve supply” of good reasons at his disposal in order to be able, if necessary, to convince his conversation partners of the truth of his statement and bring about a rationally motivated agreement.¹⁰⁶

If *this* were true, then it would also be correct to say that “the rationality proper to the communicative practice of everyday life” points to argumentative discourse, in the quite precise sense explicated in this footnote.

Nonetheless, this still leaves the *status* of this communicative or discursive rationality open at best. For if these conditions of rationality are a valid standard only in “contexts of communication,”¹⁰⁷ then this rationality is simply one application of *instrumental* rationality.

However, precisely this is the case, such that one wonders how it even occurred to the proponents of discourse ethics to try to extend a domain-specific rationality, on the same level as other domain-specific rationalities such as cement-laying rationality or dental-care rationality, beyond its proper domain.

The improper extension of this rationality occurs in two steps.

First it is implicitly assumed that the conditions of rationality for speech acts oriented towards reaching understanding are the same as those for practical discourses. Yet since understanding-oriented speech acts and practical discourses do not have the same goals—the former aim at reaching understanding (in the Habermasian sense), the latter aim either at clarifying practical questions (“What should we do?”, “Which norms are valid?”, “What is just?”, “What is moral?”) or, which is not the same, at resolving conflicts of action—this assumption is by no means self-evident. Moreover, I have already pointed out that the proponents of discourse ethics are mistaken even about the conditions of rationality for understanding-oriented speech acts.

The second step in this extension is to claim in terms of a generally Kantian morality of reason that it is *rational* to *observe* outside of discourse that which was justified as morally correct within practical discourse. Habermas concedes that, according to ordinary language use, “when we act immorally, we are not necessarily behaving irrationally”, but argues that this means only that “our way of using language can no longer serve as an unbiased witness.”¹⁰⁸ (Whereupon we might wonder who is an “unbiased witness”—Habermas himself?)

In the following I will first show that the path is blocked that would lead from communicative action or speech acts oriented towards reaching understanding to a discourse theory of rationality. To this end I will only have to recall certain errors in Habermas’s characterization of the conditions of rationality of understanding-

oriented speech acts that have already been criticized above (1.3.1). I will also directly criticize the theory itself. (Moreover, the reader should bear in mind that a discourse theory of *rationality* is not identical to a discourse theory of truth and correctness. Arguments for the one are not necessarily arguments for the other. The proponents of discourse ethics seem to me to overlook this.) I will refute the extension of understanding-oriented rationality in both steps (1.3.2).

Finally, I will examine whether Habermas succeeds in consolidating his discussions of speech act theory, the theory of action and the theory of rationality into any kind of coherent whole or whether they form an unconnected and perhaps contradictory assemblage of prop pieces (1.3.3).

1.3.1. On the Alleged Link with the Practice of Argumentation

Why does “the rationality proper to the communicative practice of everyday life” not point to the practice of argumentation, to discourse, as a court of appeal? We have already seen the answer: given the assumed goal of reaching understanding, for an assertion oriented towards reaching understanding to be instrumentally rational nothing more is required than that the speaker *have good reasons to assume* that he or she will reach the intended understanding with this speech act. (To recall, in Habermas’s sense of “reaching understanding”, an assertion oriented towards reaching understanding means an assertion that a speaker utters without reservation and with the intention that it be understood and accepted.) It is *not* necessary that the speaker have a “reserve supply” of convincing reasons with which in fact to be able to generate rationally motivated agreement.

The following weaker definition from Habermas is also incorrect, aside from the fact that it is too weak anyway to *equate* rationality with discursive redeemability, which discourse ethics would need to do in order to be a rational morality:

Once again, we do not call only valid speech acts rational but rather all comprehensible speech acts for which the speaker can take on a *credible* warranty in the given circumstances to the effect that the validity claims raised could, if necessary, be vindicated discursively.¹⁰⁹

We have already seen the fallaciousness both of the stronger characterization of the instrumental rationality of understanding-oriented speech acts and of this weaker version. We saw this in the example of the cocktail party where I make an assertion about “marathon ants” that was rationally based on the reasonably considered evidence available to me, yet where I lacked any reserve supply of good reasons and could not take on any credible *warranty* for my hearers of having this supply of reasons. (We have also seen already that these characterizations are particularly fallacious as characterizations of rationality in general rather than merely instrumental rationality, which I would like to recall here to preclude the misunderstanding that I might be just *arbitrarily* situating communicative rationality within instrumental rationality. We have seen that “communicative rationality” is at base purely instrumental; for just this reason—which we will discuss shortly—the question arises *how* it could be used as a standard beyond its original domain, if at all.)

To make it short and sweet: an assertion aiming at reaching understanding is instrumentally rational when the speaker has good reasons to assume that he or she will reach the illocutionary goal with that assertion. The speaker does not have to be able to discursively redeem the assertion, or take on a credible (if possibly faulty) warranty that it can be vindicated, or be able to justify the assertion *at all*, since success can also be achieved without such justifiability. For example, this holds of assertions like “Yesterday at home alone I read a story by Borges”, which could be justified only under rather far-fetched circumstances but still have illocutionary success simply due to the credibility of the speaker (which according to Habermas is not discursively redeemable¹⁰). Thus “the rationality proper to the communicative practice of everyday life” points to reasons, not to discourse.

Moreover, even if “the rationality proper to the communicative practice of everyday life” were to point to discourse, why should this discourse be subject to the same conditions as a practical discourse? By “communicative practice of everyday life” Habermas means communicative action, which according to him is characterized among other things by the use of illocutionary acts without reservation to coordinate action. The illocutionary goal of these illocutionary acts is that they be understood and accepted; and for Habermas these acts being “accepted” means, in this context, “*rationally* accepted”. (Otherwise there would be still a second insurmountable obstacle on the path from speech acts oriented towards reaching understanding to *the practice of argumentation* as an alleged court of appeal.)

The speech act of one person succeeds only if the other accepts the offer contained in it by taking (however implicitly) a “yes” or “no” position on a validity claim that is in principle criticizable. Both ego, who raises a validity claim with his utterance, and alter, who recognizes or rejects it, base their decision on potential grounds or reasons.¹¹

Yet the speech acts with which we deliver moral judgements or endorse norms do not fit this picture very well. Statements such as “Jessica is a completely morally depraved person”, “Frank is a repugnant, egocentric scumbag”, “Pornography should be absolutely forbidden, that goes without saying”, “Homosexuality is unnatural”, “You must do your duty”, “We have to keep pushing democratization forward”, “The dignity of man is unassailable”, etc. by no means aim at rational acceptance. As Charles Stevenson showed in his astute analysis,¹² they are often a mix of the expression of one’s own feelings and attitudes and an attempt to induce these feelings and attitudes on the part of others. This does not mean—and Stevenson emphasized this quite emphatically, although cognitivist critics tend to overlook it—that one could not *also* provide reasons for these speech acts. But these speech acts cannot be reduced to their cognitive content, and, more importantly, their *rational acceptance* is by no means necessary for their *success*. Acceptance does not have to rest on reasons; it can also be achieved through other kinds of influence. Thus speech acts of this sort by no means point towards argumentative discourse as a court of appeal, but rather as *one* means alongside others to support these speech acts.

1.3.2. The Claims of a Discourse Theory of Rationality

After thus severing the chain of arguments towards a discourse theory at several points, we should now turn to this theory itself. First I will refute the claim that norms that satisfy the discourse principle D or the rule of argumentation U allegedly at work in discourse are *justified*. I will refute this claim on purely epistemological grounds without recourse to an appeal to our moral intuitions (1.3.2.1). However, even if norms satisfying the discourse principle D were justified, it would not yet be rationally justified to *follow* them, since morality and rationality are not to be conflated (1.3.2.2).

1.3.2.1. On the Differences between Justifiable, Valid, and Justified Norms

According to Habermas the moral principle (U) “performs the role of a rule of argumentation... for justifying moral judgments”,¹¹³ such as norms. The principle states:

Every valid norm must satisfy the condition that the consequences and side effects its *general* observance can be anticipated to have for the satisfaction of the interests of *each* could be freely accepted by *all* affected (and be preferred to those of known alternative possibilities for regulation).¹¹⁴

The principle of discourse ethics (D) to be derived from this stipulates:

Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse.¹¹⁵

This formulates a condition for the validity of a norm—a condition clearly tied to discourse. However, a *valid* norm is not a *justified* norm, just as a true proposition is not necessarily a justified proposition. Habermas himself also refers to practical discourse as “a procedure for testing the validity of norms that are being proposed and hypothetically considered for adoption”.¹¹⁶ Now, a litmus test is a procedure for determining whether a liquid is acid or base. If this procedure is carried out by interested parties and the litmus paper colours red, then the proposition that the liquid is acidic is well justified. However, this procedure has to actually be carried out to arrive at this justification of the proposition. The mere fact of a colouring of the litmus paper does not justify the proposition as long as it is not known to the people themselves. There could in fact be other indications, if less reliable ones, that justify the negation of the proposition. Of course, the same holds for the norms allegedly *justifiable* by the moral principle of discourse ethics: norms that contradict these could also be justified.

Here one could question whether these norms are truly justified—meaning rationally justified—if they were not tested with the most reliable procedure. Is it not irrational to believe something that one could not have believed after using the more reliable and equally accessible procedure?

Aside from the fact that we could rather strongly doubt (more precisely, we can rule it out) that practical discourse with its improbable idealizations is accessible

and thus can assume the function of a true criterion,¹¹⁷ the rationality of a belief depends not just on the epistemic ambitiousness of the process of forming that belief but also on the rationality of this process as an action. A simple example: if a person on the street sees a dog that looks like a dachshund, then the opinion of this person, based on a brief glance, is entirely rational. A brief glance is by no means the most effective method; there is a margin of error that other procedures would have been able to reduce. For example, this person could have *thoroughly* examined the dog while consulting reference works of canine science; the person could have gone so far as to carry out a genetic analysis. Although these sorts of procedure would doubtless have been more reliable, we would not hesitate to call a person’s opinion that something is a dachshund justified based on a brief glance. How thorough and ambitious the epistemic process has to be for us to call the resulting belief justified depends on the importance of the question, as we saw in this example. One could now say that the question of a norm’s validity is more important than the question of a certain dog’s breed. That may be so, but the question of which norms are valid and which are not valid is certainly not infinitely important. Scrutinizing the validity of norms is not the point of life.

Perhaps the proponents of discourse ethics would even concede that an opinion does not have to be formed with the most epistemically effective procedure possible in order to be rational. They do not offer any clear statement on this, since the point does not seem to have occurred to them. If, however, they do concede this point, then they should bear in mind that it limits the critical potential of discourse ethics (in so far as it has any such potential), since due to the circumstance just described certain societal norms that are invalid according to discourse-ethical opinion cannot be refuted as unjustified based solely on this invalidity (which discourse ethicists have allegedly noticed). The favoured accusation of irrationalism (which as always has considerable rhetorical force) would have to be used more sparingly, at least in communication “without reservation”. Invalid norms could be very much justified.

Of course, we should distinguish between justification in the sense of being justified on the one hand and justification in the sense of a justifying proposition or a justifying speech act on the other hand. If the person A in our example with the dachshund hears from another person B: “That’s not a dachshund, because dachshunds have differently shaped ears”, then the because-clause is a justification for the preceding thesis. However, as long as the addressee of this justification does not examine the dachshund’s ears more closely and conclude that they in fact could not be the ears of a dachshund, the thesis, as already explained, is not justified for the addressee. Nonetheless, the justification could be *valid*. As Christoph Lumer explains, “valid”—like “sharp” when said of a knife—is a qualitative predicate that describes the functional capacity of a certain object. “Sharp” characterizes the functional *capacity* of knives, “valid” that of arguments. A knife does not have to be actually used for it to be sharp; it only has to cut well *if* used appropriately, where “appropriately” means something like “according to its ‘instructions for use’ or users’ manual”. Of course, speaking of “instructions for use” makes more immediate sense in reference to an electric drill. We do not expect an electric drill

without batteries to function when it is not plugged into a socket, that is, when it is not used in accordance with its instructions for use. That it fails to function under these circumstances does not mean that it is not *capable* of functioning, that is, that it is out of order in some way. In just the same way an argument is valid for an addressee if its epistemically rational appraisal by the hearer *would* convince him or her.¹¹⁸

Applying this to discourse ethics, one could ask whether U or the principle D derived from it could be used in the form of a valid argument. The following general form seems reasonable:

The norm N is valid because it would be freely accepted by all affected in a practical discourse.

This argument would be valid for its addressee if he or she would be convinced by it upon appropriate appraisal. But what would an appropriate appraisal consist in? In carrying out a practical discourse? If this were the case then this argument would have no practical value, since according to discourse ethics one can convince oneself of the validity of a norm *directly* in practical discourse. All of the participants in a practical discourse are allegedly already of the opinion, and necessarily so, that a norm is valid if it meets with general approval in practical discourse. Thus one would no longer need the argument in the first place; it would be redundant.

Fine, one might say; this proves only that the principles U and D are practically, politically, societally, ethically and philosophically without value, but it does not change anything about the possibility of their *validity* as arguments. Robert Alexy, whose “theory of practical discourse” Habermas has referred to approvingly, writes:

The discussion of moral philosophy carried out within the institution of academia, without external pressure on the decisions and carried out in principle without personal limits across generations, comes closest to the model proposed with these rules [of practical discourse, U.S.]¹¹⁹

However, in the discourse that “comes closest” to practical discourse (and in which we are participating right now), the principles U and D of discourse ethics have generated very little force of conviction. This does not exactly speak in favour of their validity. One might respond that this discourse still only comes close to the true, ideal practical discourse and is not identical with it. This response backfires, however. For if Alexy concedes “the unfulfillable quality of ideal conditions”¹²⁰ and thus the factual impossibility of carrying out a true practical discourse, this no longer implies only the valuelessness of the principles U and D in all the respects mentioned above, but their invalidity as arguments as well.

We had said, after all, that for an electric drill to be capable of functioning it has to function under the appropriate conditions specified in the instructions for use. We need to add the trivial qualification that of course conditions *that cannot be fulfilled* have no place in the instructions for use. We would not deny the functional capacity of an electric drill just because it has no electricity at the moment—because, for

example, it is lying unused in the toolbox or we find ourselves in a situation without electricity. But what about an electric drill that requires an amount of electricity greater than the total energy of the universe to function?

It is clear that such an object is not only not a functionally capable electric drill, it is in fact not an electric drill at all. It is garbage or at best a reliquary or a work of art. Similarly, an “argument” that can convince only under conditions that cannot be produced (which is quite convenient, incidentally, since it guarantees protection against falsification) is *not* an argument, and certainly not a valid one, but rather just a noise.

If to escape this result one could finally bring oneself to accept a practically feasible appraisal of the discourse-ethical argument as sufficient, then we can no longer explain how it is that those appraisals (not least of all critiques) that the argument was subjected to should not have been sufficiently ambitious. If they were sufficient, then it is proven that the discourse-ethical argument at the very least has no universal validity. (To avoid *this* result, one would have to escalate to the assumption that the opponents of discourse ethics are all irrational. This sort of manoeuvre disqualifies itself.)

Thus far we have seen that for a norm (or a thesis) to be justified it is not necessary that it meets or would meet with general agreement in a discourse. Besides, general agreement in a discourse is not sufficient for this. Furthermore, the claim that a norm would receive general agreement in discourse is either not any sort of argument for the rightness of the norm at all, or else, at the very least, not a universally valid argument. To put it briefly, the conditions of rationality of norms and theses are certainly not to be found in discourse.

1.3.2.2. *On the Difference between the Justified Status of a Norm and the Rationality of Its Observance*

Yet even if precisely those norms that would find general agreement in a practical discourse were rational or justified (which is not the case), it does not follow from this that it is rational to *observe* such norms. According to Habermas practical discourses concern which “norms of action ought to be adopted [*in Kraft gesetzt*, which means something like socially accepted and sanctioned—though not necessarily legally].”¹²¹ But of course it can be rational for an agent to agree to a certain norm and even to quite fervently work in support of it, while at the same time it could be equally rational for him or her to occasionally violate the norm, depending on how it serves his or her interests. This is sufficiently well-known as the free-rider problem.

However, as already mentioned, Habermas in fact argues that it *cannot* be rational to (knowingly) violate valid moral norms; and, as also already mentioned, this contradicts our use of language. To brush this fact aside with the remark: “But then, of course, our way of using language can no longer serve as an unbiased witness,”¹²² is dogmatic. Habermas does admittedly provide additional arguments, including a direct argument based on the “cognitive claim” of moral judgements (1.3.2.2.1) as well as an indirect argument that claims a priority of communicative

action over strategic action and aims to derive from this a priority of the one type of rationality over the other (1.3.2.2.2). These arguments do not allay this dogmatism in any way, since one can fall for them in the first place only by ignoring our language use, which shows us from the outset that these arguments *cannot* be correct.

Let us take a closer look at this.

1.3.2.2.1. On the Difference Between “Cognitive Claims” and Claims to Rationality

Habermas writes:

On the contrary, our practices of criticizing immoral actions and of disputing moral questions by appealing to reasons suggest rather that we associate a cognitive claim with moral judgments.¹²³

So what? A bank robber also associates a cognitive claim with the thesis that bank robbing is *illegal*—it by no means follows from this that he finds it irrational to rob banks. Likewise the bank robber could easily be of the opinion that robbing banks is *immoral* and provide reasons for this opinion; but this does not yet mean that he finds it irrational to rob banks. Quite possibly he will hold up the nearest bank with a bad conscience, but not in doubt of his own rationality—only of his morality. In short, associating a cognitive claim with the assertion of a norm’s moral or legal validity is not the same thing as asserting the *rationality* of observing the norm. Habermas should listen to our use of language more closely.

In general Habermas’s theories about reasons and justifications all show a rather one-sided inclination towards moralism, which is not especially rational. Thus he claims:

A valid moral judgment does indeed *signify* [*bedeutet*] in addition an obligation to act accordingly, and to this extent every normative validity claim has rationally motivating force grounded in reasons....the insightful addressee then knows he has no good reason to act *otherwise*.¹²⁴

Again, it by no means follows from obligation to action x that it is rational to do x. The phrase “to this extent” marks the statement as a non-sequitur. It does not even follow from the “motivating force grounded in reasons” of a moral judgement that it is rational to act accordingly. For the “motivating force grounded in reasons” of a moral judgement could be opposed by the motivating force grounded in reasons of a prudential judgement. Someone who cares at all about both morality and about his finances, and who knows that a certain action is morally right but would have financially disastrous consequences for him, has reasons to perform the action as well as reasons not to. Accordingly, someone is not irrational merely because he or she acts differently than *certain* reasons (i.e. moral reasons) suggest; rather, the person has to act differently than suggested after *rationally weighing* the various reasons. Habermas’s assumption that moral reasons have primacy over non-moral reasons in practical questions is just this: an assumption.

1.3.2.2.2. The Alleged Primacy of Communicative Action over Strategic Action

This assumption corresponds to the other assumption, namely, that communicative action has primacy over strategic action.¹²⁵ Since the idea is obviously to derive the (rational) primacy of morality ultimately from this alleged primacy of communicative action, and since the primacy of morality is, as we saw, an illusion, one can assume the invalidity of the arguments on which Habermas intends to base the primacy of communicative action.

The three arguments are the “parasitism” argument (1.3.2.2.2.1), an argument from the theory of meaning (1.3.2.2.2.2) and the argument that communicative action evinces “stronger implications of rationality” than strategic action (1.3.2.2.2.3).

1.3.2.2.2.1. The “Parasitism” Argument Habermas formulates his parasitism argument as follows:

The elementary speech act can serve as a model for consent-formation not itself arising from success-oriented action only if the use of language oriented towards reaching understanding may be viewed as the original mode of use of language, to which consequence-oriented use of language and indirect understanding (giving to understand) stand in a parasitic relation. . . . This is exactly what a detailed investigation of the illocutionary forces and the perlocutionary effects of speech acts can show. Speech acts can only serve the perlocutionary aim of influencing the hearer if they are suitable for achieving illocutionary aims. If the hearer did not understand what the speaker said, even a speaker acting strategically could not stimulate a hearer to behave in the desired way with the help of communicative acts. To this extent, consequence-oriented use of language is not an original mode of language use, but the subsumption of speech acts serving illocutionary aims under the conditions of success-oriented action.¹²⁶

This argumentation is quite astonishing.¹²⁷ Firstly, it is more suited to downgrading the status of language use *oriented towards reaching understanding* than that of its strategic use. If “consequence-oriented use of language is . . . the subsumption of speech acts serving illocutionary aims under the conditions of success-oriented action”, then it is in fact *these speech acts serving illocutionary aims* that are subsumed, *subordinated*, namely, *under* the conditions of success-oriented action. Of course, they are thereby placed under the standard of purposive rationality, that is, this standard remains *superordinate* and ultimately decisive. This is a point for it, not against it.

We can also see how unimpressive the “original” status of understanding-oriented language use would be (if it were true) from the following analogy: a heart surgeon relies on adequate support from others, including for example the proper anaesthetization of the patient, without which he cannot operate. Thus heart surgery is not an original activity, but rather the subsumption of activities serving other aims such as anaesthesia, disinfecting scalpels, mopping the surgeon’s forehead, etc., under the conditions of heart-surgical action. What does this tell us about the status of mopping foreheads in comparison with heart surgery?

Thus it is clear that Habermas’s parasitism argument for the justification of the primacy of language use oriented towards reaching understanding is irrelevant. Moreover, it is incorrect.

Firstly, speech acts by no means necessarily have to be understood in order to influence the hearer.¹²⁸ If I want to intimidate someone it can be enough if I direct a loud and aggressive flurry of speech acts at him or her that he or she cannot understand because he or she does not speak the language. In fact this circumstance might even increase the intimidating effect. If on the other hand I want to influence someone by means of his or her understanding of the speech acts used, then it is analytically true that he or she has to understand the speech acts for this purpose. However, it is still false to claim that these speech acts have to be “suitable for achieving illocutionary aims”, since the illocutionary aim according to Habermas does not just consist in being understood but also in achieving rational consensus. Yet, if I have the intention of using a speech act with the perlocutionary aim of insulting the hearer, I might perform the speech act: “You’re a stupid pig and your mother’s a whore.” I strongly doubt that there is any danger of reaching the illocutionary goal of a free consensus concerning the validity claims raised. It is more likely that the other abstains from taking a “yes position” vis-à-vis this statement. Thus this speech act is absolutely unsuited to reaching illocutionary goals. Moreover, this holds not just for these sorts of drastic insult but also for simple lies and all other speech acts that are not without reservations, that is, for *all* strategic speech acts, since according to Habermas these strategic speech acts cannot bring about *rational* consensus.¹²⁹ However, it is this rational consensus that the illocutionary goal consists in.¹³⁰ Thus Habermas’s claim, namely:

Speech acts can only serve the perlocutionary aim of influencing the hearer if they are suitable for achieving illocutionary aims¹³¹

is contradictory.

Thus there is no “perlocutionary parasitism” exploiting speech acts serving illocutionary aims for its own dark purposes (as parasites do). Perlocutionary acts (in the sense of acts of non-argumentative influence) cannot be performed with the help of illocutionary acts, at least not according to the theories that Habermas commits to elsewhere.

Besides this impossible parasitism, might not another kind of parasitism be possible? Elsewhere Habermas mentions the example of a speaker

who wants to persuade [*überreden*] his audience of something... perhaps because in the given situation he lacks convincing arguments. Such nonpublic perlocutionary effects can be achieved only parasitically, namely, on condition that the speaker feigns the intention of *unreservedly* pursuing his illocutionary aims and leaves the hearer in the dark as to his actual violation of the presuppositions of action oriented toward reaching understanding.¹³²

First of all: this strategic use of language is not “parasitic” on the communicative *use of language*—the latter use of language does *not* occur here, after all—but rather on the audience’s *belief* that they are addressees of argumentation. It is this belief that the speaker uses for his goals. If the audience did not have this belief, the speaker could not achieve his goals. The fact that the communicative use of language is parasitic on the belief *in itself* (i.e. in the communicative use of language), whereas the strategic use of language is parasitic on the belief *in another use of*

language (namely, in the communicative one), does not change anything about the fact that the strategic use of language is not parasitic on the communicative *use of language*; rather, it underscores this fact. Belief is not use of language. The illocutionary use of language is just as parasitic on this belief—which, incidentally, is induced *strategically*, as we will see—as is the perlocutionary use; here we cannot uncover any primacy of one over the other.

Second of all: it is not even correct that we can persuade people only if they do not know that we are trying to persuade them of something. Habermas’s assumption to the contrary could be better attuned to realities. The game of seduction is one example of an attempt at persuasion that the hearer sees through but that can nonetheless be successful.

Habermas himself concedes that there is such a manifestly strategic use of language, one that is recognized by the hearer as such. These sorts of strategic speech acts can be successful without the speech act even being parasitic on the hearer’s belief that he or she is the addressee of an illocutionary act. Insults are one particularly conspicuous example of this. However, Habermas claims that even insults and other so-called perlocutions “require successful illocutionary acts as their vehicle”.¹³³ We have already seen that this is false. “You’re a pig” works fine without any such vehicle, as do threats, since acts “of this kind—acts that have become independent as perlocutionary acts—are not illocutionary acts at all, for they are not aimed at the rationally motivated position of an addressee”.¹³⁴ Quite. And since they have become independent, they are not parasitic.

But, one might respond here, can we not at least hold the following:

In manifestly strategic action, illocutionarily weakened speech acts, if they are to be comprehensible, continue to refer to the meaning they owe to a use of language that is antecedently habitualized and originally oriented toward reaching understanding.¹³⁵

Thus Habermas is of the opinion that we have to first learn a language as used in its orientation towards reaching understanding. Habermas also mentions this astonishing view in support of his pragmatic theory of meaning¹³⁶ (which, as we will see, is also false). However, in his more insightful moments Habermas realizes that, for example,

demands in the course of ontogeny are initially learned as simple imperatives reinforced by sanctions and only at a later date as normatively “backed-up” imperatives.¹³⁷

So demands oriented towards reaching understanding seem to be parasitic *on the strategic use of language*, in the sense of “parasitism” just discussed.

Furthermore, it is not any different with language as a whole. We do not learn language in interactions oriented towards reaching understanding; at least I doubt whether mothers who hold a bottle in front of their two-year-olds and say “here’s the bottle, here’s the bottle... (etc.)” are pursuing the illocutionary goal that their children acknowledge the claims to sincerity, truth and normative rightness tied to the speech act. The infant could hardly have mastered these concepts. The mothers want to teach their children the language; they also simply have fun talking to them. There are, first and foremost, no illocutionary goals involved. And when the child is old enough to understand the relevant exhortations, and does not speak

“properly”, then it is told “Speak properly!” often with a threatening tone of voice. And, if ultimately the child is dragged to the speech therapist, no one asks if he or she consents.

Moreover, even if the strategic use of language were parasitic on interactions oriented towards reaching understanding in the sense of “parasitism” at issue here, that is, in the sense that one has to have already taken part in these interactions (perhaps during one’s acquisition of the language) in order to be able to speak strategically, it is still quite clear that one has to have performed purposive activities at some point in order to be able to speak at all. For we can speak only as long as we live; and if we stopped eating—and feeding ourselves is a purposive activity in Habermas’s sense of purposive activities that are truly purposive (and we know that for Habermas there are purposive activities that are not really purposive)—then we would die relatively soon thereafter. And then it would be over with speaking, whether strategically or in orientation towards reaching understanding. Thus speech oriented towards reaching understanding is parasitic on purposive activities, whereas these non-linguistic activities are in no way parasitic on action oriented towards reaching understanding, never mind speech. Accordingly, the primacy of speech acts (or any act) oriented towards reaching understanding can hardly be made plausible with recourse to Habermas’s idiosyncratic theory that the “symbolic reproduction” of society can be accomplished *only* through communicative action.¹³⁸ This thesis is false.¹³⁹ Moreover, symbolic reproduction is clearly not possible without material reproduction, whereas material reproduction is possible without symbolic reproduction (the boy raised by wolves cannot achieve “symbolic reproduction” in Habermas’s sense of the term, but clearly can still live regardless). Here we again see the primacy of purposive activities and thus the primacy of purposive rationality.

So the strategic use of language is by no means parasitic on the use of language oriented towards reaching understanding.

How do things look with the converse? We have already seen that we do not learn our native language in interactions oriented towards reaching understanding.¹⁴⁰ And it strikes me as impossible to learn a second language exclusively in such understanding-oriented interactions. However, I will not continue to pursue this; I am much more interested in the question of whether the understanding-oriented use of language is parasitic in Habermas’s central sense of parasitism, according to which one action is parasitic on another when it is *subordinated* to another, or is used for the purpose of the other. Let us put the question to Habermas. According to him,

we must take into consideration that not only do illocutions appear in strategic-action contexts, but perlocutions appear in contexts of communicative action as well. Cooperative interpretive processes run through different phases. In the initial phase participants are normally handicapped by the fact that their interpretations do not overlap sufficiently for the purpose of coordinating actions. In this phase participants have either to shift to the level of metacommunication or to employ means of indirectly achieving understanding. Coming indirectly to an understanding proceeds according to the model of intentionalist semantics. Through perlocutionary effects, the speaker gives the hearer something to understand

which he cannot (yet) directly communicate. In this phase, then, the perlocutionary acts have to be embedded in contexts of communicative action. These strategic *elements* within a use of language oriented to reaching understanding can be distinguished from strategic *actions* through the fact that the entire sequence of a stretch of talk stands—on the part of all participants—under the presuppositions of communicative action.¹⁴¹

This last sentence needs to be corrected, as a look at the previous sentences makes clear. Strategic elements are presumably so called because they are elements that are strategic. These elements *are* perlocutionary acts, Habermas tells us. I assume, furthermore, that perlocutionary acts are so called because they are acts, that is, actions. If the strategic elements are strategic and, moreover, are *identical* with the perlocutionary acts, then, following the well-known Leibniz’ law that “two” identical things have the same properties, we can conclude that the perlocutionary acts of which we speak share all properties with the strategic elements they are identical with, including the property of being strategic. It follows, Habermas’s protestations to the contrary notwithstanding, that we are dealing here with strategic actions.

As regards this indirect achievement of understanding by the use of strategic actions, Habermas summarizes the explanation quoted above by saying that it “remains *subordinated* to the aim of communicative action”.¹⁴² If Habermas had not already italicized the word “subordinated”, I would have done so myself, since this emphasis practically makes any further explanation superfluous as long as we recall that central meaning of “original”—and thus that of its counterpart, “parasitic”—that concerns us here:

If the hearer did not understand what the speaker said, even a speaker acting strategically could not stimulate a hearer to behave in the desired way with the help of communicative acts. To this extent, consequence-oriented use of language is not an original mode of language use, but the subsumption of speech acts serving illocutionary aims under the conditions of success-oriented action.¹⁴³

According to Habermas, a use of language B that is subsumed under a use of language A, *that is, subordinated* to it, is the *original* use of language, and thus the other is *parasitic*. (Unless Habermas would say: “What’s sauce for the goose is not yet sauce for the gander.”)

So let us summarize Habermas’s statements and, making use of Leibniz’ law of identity, draw the logical conclusions:

“Normally”, Habermas writes, contexts of communicative action depend on subordinating acts of reaching understanding indirectly, that is, strategic actions, to their goals. For if it were not possible for the speaker to give “the hearer something to understand which he cannot (yet) directly communicate”, then the very state of affairs in which “interpretations... overlap sufficiently for the purpose of coordinating actions” could not arise, that is, the state in which reaching understanding directly, and thus a communicative use of language, is first possible. Thus the use of language oriented towards reaching understanding is not an original use of language but rather the subsumption of speech acts that serve perlocutionary aims under the conditions of action oriented towards reaching understanding.

This is “normally” so for the relation between strategic use of language and the use of language oriented towards reaching understanding. Now, not all means of “achieving understanding”, that is, of communication (*Verständigung*) (in the ordinary sense of the word, not its Habermasian, consensus-driven sense) are linguistic in nature. One can also communicate something to another person with a facial expression. Sometimes one pulls another person’s leg as a joke. In some variations of this one keeps a straight face while saying something that the hearer might register with astonishment. If one kept up the straight face, the other person might possibly never realize that it is just a joke—and so the desired effect, laughter let us say, would not come about. Thus, one eventually starts to grin, and with this comes the other’s relieved laughter. However, the converse would not be considered a good idea: to hop around scratching oneself like an ape with a silly grin when one intends to say something serious. *That* an assertion is meant seriously has to be *communicated* by the appropriate facial expression—in this case a relatively normal one. One might think that I could of course just directly state that I mean the assertion seriously. I could say this, but it would not be understood this way if I said it with a broad grin and eyebrows moving up and down in Groucho Marx style. In this case one would tend to see my speech act as an ironic reference to the simple-mindedness of certain philosophers of language. In written language this dependence on the means of indirect, non-linguistic communication is also ubiquitous. There is, after all, a reason why business correspondence is not typed on pages that were ripped out of a four-colour Donald Duck comic; if it were it would hardly be taken seriously, but rather summarily thrown into the waste-paper basket. In short, these sorts of non-linguistic means of communication first generate the “seriousness value” (serious/unserious) with which a speaker wishes his or her speech act to be understood. This is not just a general rule, but is *always* the case: *the “consequence-oriented achievement of understanding”, that is, consequence-oriented communication, is the original mode of communication, to which the communicative use of language in the Habermasian sense relates parasitically.*

1.3.2.2.2. *The Argument from the Theory of Meaning* Habermas’s following thesis could be interpreted as an additional argument for the primacy of action oriented towards reaching understanding:

Reaching understanding is the inherent telos of human speech.¹⁴⁴

By “reaching understanding”, as we have seen, Habermas means not just the understanding of meaning but the reaching of a consensus.

In the meantime Habermas has conceded, particularly in light of speech acts specific to quarrels, such as insults, that:

Indeed, the assumption that linguistic communication aims fundamentally at agreement seems completely counterintuitive...¹⁴⁵

Yet the emphasis here is on “seems”. For while Habermas’s revisions concede that perlocutions at the level of action do not aim at consensus, at another level, a higher and ultimate level as it were, consensus still remains the standard of success

even for perlocutions, and thus Habermas continues to adhere to his “pragmatic theory of meaning”, if in revised form, as we will see. This theory presents us with the same connection between justification and discourse that we have already encountered and that I refuted. Now, however, the connection is not made primarily in terms of the *performance* of a speech act, but in terms of *understanding*. Habermas writes:

Previously, I had presumed that the acceptability of speech acts depends on the knowledge of reasons that (a) justify an illocutionary success and (b) can rationally motivate an agreement between speaker and hearer. I now have to revise this formulation in view of my differentiation within the concept of reaching understanding, and in view of the status of speech acts such as insults and threats.

ad a) To understand a speech act is to know the conditions for the illocutionary or perlocutionary success that the speaker can achieve with it (with this, we take account of perlocutions whose success, however, presupposes comprehension of the illocutionary act employed in a given case.

ad b) One knows the conditions for illocutionary or perlocutionary success of a speech act when one knows the kinds of actor-independent or actor-relative reasons with which the speaker could vindicate her validity claim discursively....

Even perlocutions, which ride on the backs of illocutionary acts, can be criticized from the point of view of the truth of the assumptions implied in a given case (about conditions for context-dependent perlocutionary effects).¹⁴⁶

We have already seen that perlocutions by no means assume an understanding of the particular illocutionary act used.¹⁴⁷ Habermas himself concedes a few sentences later that “perlocutions *as such* do not represent illocutionary acts.” This “as such” presumably means “as perlocutions”. But since he italicized “as such”, he must think that there are no perlocutions that exist only as such, that is, as perlocutions, but rather that they also exist as—as what, really? As *illocutions*, perhaps? Since otherwise for Habermas illocutionary acts are by definition not perlocutions, it would seem that the non-goal-like goals are not the only sign of conceptual contradictions in Habermas’s argumentation for his theory.

Let us look closer at Habermas’s pragmatic theory of meaning. We can see that agreement is given a central role in the original point (b). Habermas’s statements in “ad b)” represent not so much a retreat from this as its *Aufhebung*. Nonetheless, at this level there can no longer be any claim of primacy of the use of language oriented towards reaching understanding, since the conditions of perlocutionary success might be recognized in discourse, but they do not *lie in* or *refer* to discourse. In fact, as Habermas himself knows,¹⁴⁸ a speaker can also achieve perlocutionary success even if he or she himself or herself is unaware of any reasons with which he or she could discursively vindicate his or her “claim” that the perlocution will be successful.

Additionally, Habermas’s pragmatic theory of meaning is false.¹⁴⁹

Let us assume that I am playing the quiz-game “Guess the Speech Act” with Habermas. For this purpose I tell Habermas what kind of reasons a speaker could

use to discursively vindicate the validity claims for a speech act *S*. Habermas now has the task of guessing the speech act. And now the clue: the kind of reasons includes both moral reasons and reasons based on existing conventions. The candidate is to volunteer an answer when he has found out what the speech act is.

The moral should be clear. If the type of reasons is too general, then one can use them to vindicate practically any speech act, and thus they no longer distinguish one speech act from another.

If, on the other hand, the type is too specific, then it will turn out that the speaker can also understand a speech act without knowing the kind of reasons with which one could vindicate or “redeem” the validity claims of the speech act discursively. If a secretary is of the opinion that the validity claim of the speech act uttered by his or her boss, “Please bring me a coffee”, can be discursively vindicated only with reasons referring to the clauses of his or her employment contract, but then, in discourse, unfortunately comes round to the opinion (which he or she would have rejected previous to the discourse) that his or her boss is entitled to such a demand based solely on his status as boss and general custom, this does not in any way mean that he or she had previously not understood the speech act. He or she had understood the speech act very well—and had rejected it for precisely this reason—even when he or she did *not* know or even suspect that his or her boss would be able to discursively vindicate his or her validity claim with arguments concerning the relation between the roles of boss and secretary. How is one supposed to know precisely, *previous* to discourse, that which one recognizes only in or *after* discourse? If we could know this so precisely beforehand, then discourse would be superfluous and not as epistemically significant an institution as Habermas constantly claims.

Thus Habermas is caught in an irreparable dilemma: knowledge of the general kind of reasons that could vindicate the validity claims of a speech act is not sufficient to understand the speech act. (This is indeed so evident that Habermas’s vague talk of “kinds of reasons” can hardly be accorded the status of a *theory*.) And knowledge of some more specific kind of reasons that could vindicate the speech act is not necessary.

Moreover, this knowledge of the more specific kind of reasons is also not sufficient. Not even knowledge of the *exact* reasons is sufficient. The following example should make this clear:

Let us suppose that I am on the telephone with the ticket office of a theatre and would like to know whether any tickets are still available for today’s show. I could say: “I would like to know if there are still tickets for this evening.” This is an expressive utterance, the utterance of a wish. I could also say: “Are there still tickets for this evening?” That is a question; whereas “Please tell me if there are still tickets for this evening” is a mixture of request and imperative. Thus we have three different speech acts here; and yet there is absolutely no reason to suppose that the reasons “with which the speaker could vindicate her validity claim discursively” should vary between them. In fact we can plausibly assume that the reasons are identical (e.g. “I spoke politely, and the people in the ticket office are there to provide information”). Thus it appears that one has not yet understood a speech act even if one knows the *exact* reasons with which the speaker could discursively

vindicate his or her validity claims, since these reasons can be used to vindicate the validity claims of *diverse* speech acts.

Moreover, Habermas makes the rather strong claim that understanding a speech act *means* knowing the conditions of its success—that is, according to Habermas, the kind of reasons with which the speaker can vindicate his or her validity claims. In other words, for Habermas, understanding a speech act *consists* in this knowledge. We have already seen that Habermas’s pragmatic “theory” of meaning leads to an inescapable dilemma (or, rather, trilemma). Now it has also led us into an inescapable circle. This circle becomes clear if we ask how exactly the speaker is supposed to arrive at this knowledge of the reasons that could vindicate the validity claims of the speech act, the knowledge that is allegedly necessary for its understanding. Let us suppose that someone says to me: “Close the window!” If this speech act is a command, then the reasons that could vindicate its validity claims discursively are quite different than in the case where it is merely a request. (The reasons do in fact vary between requests and commands. However, they did not vary between the speech acts in my theatre example.) In the first case, I would of course want to know the reasons that could bring the other person to assume he is in a position to command me at all. So: how am I supposed to understand the speech act? This is no easy matter, since this understanding has to include the knowledge of *what sort of speech act* it is—command or request (or joke, lyrical rendition, philosophical example, etc.). Yet to know what sort of speech act it is, I have to know, according to Habermas, with which reasons the speaker could discursively vindicate the validity claims tied to the speech act. But what these reasons are depends on what kind of speech act it is. To know that, I would have to know the reasons with which the speaker...etc. Habermas’s pragmatic “theory” of meaning entails the impossibility of understanding speech acts. Yet since, as we know, it is most certainly possible to understand speech acts, we can infer backwards to the falsity of Habermas’s “theory”.

1.3.2.2.3. *The Argument from the Stronger “Implications of Rationality” and “Ontological Presuppositions” of Communicative Action* Habermas mounts a third argument to demonstrate the superior rationality of communicative action over strategic action. In this argument, communicative action has not just the whole world behind it; it has three worlds behind it. But we had best let Habermas explain this himself:

At first glance, only the teleological concept of action seems to open up an aspect of the rationality of action. ... That this appearance is deceiving becomes evident when we represent to ourselves the “ontological”—in the broad sense—presuppositions that are, as a matter of conceptual necessity, connected with these models of action. In the sequence teleological, normative, dramaturgical, the presuppositions not only become increasingly complex; they reveal at the same time stronger and stronger implications of rationality.

(a) The concept of teleological action presupposes relations between an actor and a world of existing states of affairs....

With regard to ontological presuppositions, we can classify *teleological* action as a concept that presupposes *one* world, namely the objective world. The same holds for the concept of *strategic action*.¹⁵⁰

I will skip over normative and dramaturgical action and come to the essential point:

Only the communicative model of action presupposes language as a medium of uncurtailed communication whereby speakers and hearers, out of the context of their preinterpreted lifeworld, refer simultaneously to things in the objective, social, and subjective worlds in order to negotiate common definitions of the situation.¹⁵¹

However, the brazen assumption “the more worlds, the more rationality” (under the principle “quantity becomes quality”) is anything but self-evident; hence it would need to be actually substantiated by an analysis of language use. This also holds for the other points Habermas introduces with the claim that they imply a higher rationality of communicative action. Why do they imply a higher *rationality*? Habermas does not give us any arguments for this of any sort. His thesis that those bizarre “ontological presuppositions” he ascribes to communicative action imply a greater rationality lacks all justification whatsoever. And as shown by the conceptual explications I offered against the Habermasian postulates and shored up with illustrative examples, the thesis is also false.

Aside from their irrelevance, those characteristics and structures that Habermas introduces as the alleged expression of a superior, “uncurtailed” rationality of communicative action are either de facto absent from communicative action or else have an equal or greater presence in strategic action. And wherever we do see Habermas ascribe a characteristic to communicative action that, coincidentally, turns out to be relevant to the question of rationality, its relevance is purely negative—it shows a want of reflectivity in communicative action.

Let us take a closer look at all this. First, as to the “worlds”: I have already shown that Habermas does not wish this talk of three worlds to be understood metaphorically as various regions within *the one world*; he means it literally.¹⁵² I cannot see anything rational about this multiple ontomania. Models of action that presuppose three times as many worlds as there are do not inspire particular confidence.

But let us be charitable and act as if these world concepts were meant metaphorically. What should we think of Habermas’s claim that the concept of strategic action “presupposes *one world*, namely the objective world”? Not so much; particularly as Habermas follows just this claim with the words:

Here we start with [*gehen aus von*] at least two goal-directed acting subjects who achieve their ends by way of an orientation to, and influence on, the decisions of other actors.¹⁵³

Goals and ends are subjective. Thus Habermas’s own definition of the concept of “strategic action” presupposes more than just *one world*. And since Habermas also characterizes strategic action as “social action,”¹⁵⁴ it would be interesting to know how an action could succeed in being a social action without any connection to the social world.¹⁵⁵

At this point one could try to locate the “one-sidedness” of strategic action not in the *object* of reference but in the *type* of relation. Thus one might claim that strategic action admittedly relates to all three worlds, but *only in an objectifying manner*. We have already seen that Habermas occasionally argues in a similar vein—just as we have seen, with confirmation from Apel, that these arguments are false.¹⁵⁶

Furthermore, Habermas’s aversion to objectifications, at least in the context of his theory of rationality, is rather off-putting. It would hardly be a sign of unrivalled rationality to view one’s goals exclusively in an expressive attitude rather than occasionally reconsidering them and reviewing their appropriateness—and this is at least *one* meaning of “objectify”. Moreover, it is by no means irrational or immoral to make humans the object of research.

This also holds even if we grant that Habermas has a concept of objectification that is stronger than the Kantian one (whereby Apel’s criticism was aimed at precisely this stronger conception). Then objectification would not mean just making something an epistemic object, but also that in cognizing subjects we abstract from their subjective side. Habermas writes:

On the level of scientific discourse, however, there is a tendency to delimit the object domains of, for example, psychology or sociology, by neglecting their hermeneutic dimensions, in such a way that the components of the subjective or the social world are naturalistically assimilated to physical entities or to observable behavior. In each case they are made into components of the objective world, inherently accessible only in the objectivating attitude; that is, they are forced into the basic conceptual framework of physicalism or behaviorism. As opposed to this naturalistic reduction, the point here is only to defend non-objectivistic approaches in psychology and the social sciences.¹⁵⁷

The words “forced” and “reduction” show that Habermas has little regard for this kind of objectification. Yet it should be noted that the behavioural therapy based on Skinner’s behaviouristic theory of learning has proven significantly more effective than Freud’s hermeneutic method. If one wishes to rid oneself of a phobia and if one were able to accomplish this by adopting a sufficiently objectifying attitude to the phobia—that is, not interpreting it hermeneutically as a symbolic structure for eight years or more, but rather treating it as a physiological malfunction and erasing it chemically with an injection—why should one not do this? This situation calls for a simple rational weighing of goals, means and side-effects against each other. It might turn out, then, that the objectifying attitude towards the social or subjective world is the rational one in a certain situation. Aside from all this, Habermas’s theory of communicative action—despite its strange dabbling in system theory—seems to me to be a hermeneutic reduction. There are good reasons to prefer naturalistic “reductions”—which, moreover, are seldom reductions, but rather entirely legitimate viewpoints, whose value can be measured by their results—to fruitless hermeneutic reductions.

Now, according to Habermas there is yet another type of “world relation”, namely, the relation *via validity claims*. Habermas thinks that it is *only* in communicative action—or, more precisely, in communicative speech acts—that the *three* validity claims of sincerity, truth and normative rightness are all raised.

With this model of action we are supposing that participants in interaction can now mobilize the rationality potential—which according to our previous analysis resides in the actor’s three relations to the world—expressly for the cooperatively pursued goal of reaching understanding. If we leave to one side the wellformedness of the symbolic expressions employed, an actor who is oriented to understanding in this sense must raise at least three validity claims with his utterance, namely:

1. That the statement made is true (or that the existential presuppositions of the propositional content mentioned are in fact satisfied);
2. That the speech act is right with respect to the existing normative context (or that the normative context that it is supposed to satisfy is itself legitimate); and
3. That the manifest intention of the speaker is meant as it is expressed.¹⁵⁸

He even declares the raising of these validity claims constitutive of communicative action:

Only those speech acts with which speakers connect criticizable validity claims are constitutive of communicative action.¹⁵⁹

And elsewhere he writes:

Announcements and imperatives do not aim at agreement (in the strict sense). Nonetheless, they move within the horizon of a mutual understanding based on validity claims and thus still within the domain of communicative rationality.¹⁶⁰

In light of how much value Habermas places on the following claim:

But communicative action designates a type of interaction that is *coordinated through* speech acts and does *not coincide with* them,¹⁶¹

one might wonder why communicative action is suddenly *constituted* by those speech acts connected with criticizable validity claims, thus seeming to in fact coincide with them. This does not fit very well with Habermas’s other definitions of communicative action. But maybe all he means here is that communicative action is precisely that action that is *coordinated* by such speech acts. Yet, as I have already shown, this thesis also does not very well fit the definition of communicative action as action wherein the participants harmonize their plans of action; one might note that utterances such as “Turn on the gas” or “Smash that Jew’s skull in” or a command to perpetrate genocide are imperatives and commands, too, and as such, according to Habermas, operate “within the domain of communicative rationality”. Though I have shown that genocide could also be carried out in agreement with all participants, the Holocaust is not one example of this. Yet if it is no longer decisive that the participants *assent* (in the sense of free and unforced agreement) to the speech acts with which the actions are coordinated, but only that these speech acts *raise* the *claim* to sincerity, rightness and truth, then the Holocaust counts as an example of communicative action. This is so even if this claim is made without reservation, i.e., sincerely, which Habermas does not even call for here. And if lack of reservation is made a condition, then still a great number of the crimes committed in the Holocaust count as communicative action.

Let us now bring these parenthetical remarks about Habermas’s definitional efforts and the ensuing consequences for an allegedly superior morality of communicative action to a close and return to our examination of the “implications of rationality”. Now, even if it were *only* communicative action that raises all three validity claims, this does not make communicative action more rational. I have already shown that an action such as the reaching towards a light-switch when alone does

not need to be bound up with any “claims” (or even to be able to be bound to these claims) to be rational.

Moreover, *all* actions, including perlocutionary speech acts, are criticizable under *all* possible aspects.¹⁶² Anyone who thinks otherwise should name me a speech act, and I will be happy to criticize it under all possible aspects (or at least under the three aspects favoured by Habermas).

Habermas himself even concedes that threats, for example, can be “challenged . . . from the two points of view of the lack of truthfulness of the declaration of intention and the lack of truth of the existential presupposition”. He illustrates this with the following examples:

You don’t really mean what you are saying.

and

You don’t have anything you can use against me.¹⁶³

Now in my opinion it is not too hard to see that one could also say: it is immoral of you to threaten me. Interestingly, Habermas does not see this. He would rather dispute the “context” than the moral rightness.

I would like to quote his explanations of this in their entirety, since apart from illustrating the point at issue they also provide an occasion to clear up two other typical terminological confusions of universal pragmatics. Habermas writes:

In addition, the context presupposed by the speaker, within which (4) first becomes a threat for a specific addressee, can also be contested:

(4'') You can’t threaten me with that—he has already known it for a long time.

In such a case the speech act is not strictly speaking *contested*; rather it is simply explained why the intended effect will not occur and why the perlocution remains *ineffective*. Only illocutionary acts that can be *valid* or *invalid* may be contested.

(However, perlocutions of this kind can be re-embedded in a normative context in a secondary way because, of course, the condemnation of misdemeanors in a moral or a legal sense appeals to a normative background consensus and to this extent, despite its pejorative connotation, is directed toward agreement. For this reason, such *normatively embedded* reproaches—unlike actions that do not really aim to say anything but, in saying something, aim to offend someone—can be rejected on the basis of reasons. Something similar to what holds for moral reproaches, condemnations, and so on also holds, for example, for legal threats of punishment; due to the legitimating background consensus about the norms of punishment themselves, the threatened punishment is regarded as a consequence of a legal system for which agreement is presupposed.)¹⁶⁴

I fully concede that it is not the speech act that is contested in the case of a threat. Speech acts, like all other *actions*, cannot be contested as a matter of principle. We do not say “I contest your question” or “I contest your request” or “I contest your greeting.” Whoever talks this way is no *competent* speaker. Although we do say “I would contest that” in response to another’s point and in this way “contest an assertion”, this is due to the ambiguity of the word “assertion”. For this word means—primarily, it seems to me—the *proposition asserted*. When we are asked “What did he say?”, we say: “He said *that* . . .”, thus describing a proposition, not an

action. The same holds for questions, incidentally; “What was his question?” “His question was *whether...*”—also a proposition. *Asking* a question is a speech act, *giving* a promise is a speech act, *making* an assertion is a speech act—promises, questions and assertions, however, are *not* speech acts, but rather propositions in certain roles. Of course, for the sake of brevity we could *call* the speech act with which a question is posed “question” rather than “asking a question”, as I have done here. But then, of course—as Habermas very much intends—we are speaking of acts; and these cannot be *contested* at all.

Moreover, we do not say “Your greeting is valid.” Or “Your insult is valid.” Speech acts cannot be valid or invalid.¹⁶⁵ Habermas needs this talk of validity, however, to give the impression that everything coheres as it should in his concept of communicative action. In fact, he imposes upon the concepts of truth, sincerity and normative rightness a misused abstraction and then calls this “integration”.

However, the decisive point is that a threat does not have to be a normatively “embedded” threat to be criticized (not “contested”) with reasons. Rather, the statement: “Your repugnant threat does not even have the veneer of a legitimate appeal to a background consensus and is a pure, undisguised act of violence” is already a justified criticism of a threat under the aspect of normative rightness. And the statement “Your speech act was not meant to say anything of substance, you just wanted to insult me” is already a justified criticism of a speech act. Thus Habermas’s claims are false, and we can conclude that, just like communicative speech acts, strategic speech acts can be criticized under all three aspects.

To be sure, Habermas claims that the criticizability of an utterance depends on the claims it raises; thus we might also suppose him to think that an utterance that can be criticized under the aspect of rightness must necessarily raise a rightness *claim*. In a comparison of assertions and “goal-directed interventions” he writes: “In both cases the critic refers to claims...”¹⁶⁶ Yet we have seen that speech acts do not necessarily need to raise any claims in order to be criticizable; the two things have nothing to do with each other (and the three claims under discussion here have for their part nothing essentially to do with rationality). Incidentally, here we see another failed attempt on Habermas’s part to produce an “internal relation”. (And Habermas does after all suggest that the rationality-enhancing “complexity” of communicative action unfolds or manifests the most diverse sorts of “internal relations”.¹⁶⁷)

On the one hand, this result is unfortunate for Habermas’s “integrative” ambitions. On the other hand, one might say: okay, strategic action may be criticizable under precisely the same three aspects as communicative action, but it does not raise all three *claims*.

In fact strategic speech acts do not *necessarily* raise all three claims. And purposively rational speech acts—that is, rational strategic speech acts—raise these claims only when it is reasonable to do so, whereas communicative action raises these claims even when it is not reasonable. However, it is also evident that one *can* raise all three claims with an insult, and typically one does—naturally without aiming at agreement. If I call someone a “pig”, then in the case that the appropriateness for this speech act is called into question by a third party I can explicitly *claim* to be entitled to the speech act. This does not prevent me from at the same

time saying to the target of my insult, “I don’t care one bit whether you or anyone else agree that I was entitled to this insult, you pig” (and this relates back to the “link to argumentative discourse” under a different aspect). One can obviously raise a claim without having to place any particular value on reaching agreement. This also holds for the claim of sincerity. In the case of *this* claim—in contrast to the claim to rightness—one would certainly want it to be affirmed by the *insulted person*, and accordingly one would insist on this and explicitly claim that one sincerely means it; but whether this claim is recognized by a third party could be a matter of indifference. We can of course also raise truth claims with insults, for example, as concerns their existential presuppositions, as Habermas himself concedes.

Incidentally, it is not at all the case, as Habermas thinks it is, that one can raise truth claims only with perlocutions in so far as the existential presuppositions of the speech act are concerned; one could also raise a truth claim as to the propositional content of the perlocution. It is quite easy to make this point by borrowing the argument Habermas uses to demonstrate “cognitive claims”. We might recall:

On the contrary, our practices of criticizing immoral actions and of disputing moral questions by appealing to reasons suggest rather that we associate a cognitive claim with moral judgments.¹⁶⁸

Now, our practices (and here by “our” I do not mean to include those who speak only in an elaborate code) of disputing with reasons about questions such as, for example, whether someone is a “pig” (“Why am *I* a pig? *You* started this fight!”) speaks to the fact that we connect a cognitive claim to insults of this type. And since this sort of discussion is not concerned with the question of whether a norm is right, but rather with the question of whether a certain property (that of being a “pig”) holds for a certain object, we are dealing here with a claim to truth. Moreover, this shows, contrary to Habermas’s belief, that truth claims are by no means necessarily directed at “discursive vindication” or agreement; and this is not restricted to those truth claims raised with insults.

We can conclude that all three validity claims can be raised with strategic action as they can with communicative action. Unlike in the case of communicative action, which according to Habermas raises *exactly* three validity claims, we can raise *additional* claims with strategic actions if we so choose; for example, the claim to a high aesthetic quality of the speech act or the claim to earn an entry in the Guinness Book of World Records for the loudest volume. If it seems strategically reasonable to an agent acting strategically to raise these claims, then she raises them. And five validity claims are, quite simply, *more* than three.

Thus strategic action can relate to at least as many regions of the world in at least as many ways with at least as many validity claims as communicative action.

Moving now from relations to the world to relations to language, we will also find that strategic action can take at least as many *functions of language* into consideration as communicative action does. Habermas thinks otherwise:

The one-sidedness of the first three concepts of language can be seen in the fact that the corresponding types of communication singled out by them prove to be limit cases of communicative action: *first*, the indirect communication of those who have only the realization of their own end in view; *second*, the consensual action of those who simply actualize an already existing normative agreement; and *third*, presentation of self in relation to an audience. In each case only one function of language is thematized: the release of perlocutionary effects, the establishment of interpersonal relations, and the expression of subjective experiences. By contrast, the communicative model of action... takes all the functions of language equally into consideration.¹⁶⁹

As we know, insincere speech acts, like perlocutions, are disallowed in the use of language oriented towards reaching understanding. However, language can also serve the function of misleading, insulting, persuading, singing to earn money, using speech-sensitive computer programmes and alarm clocks, etc. Strategic action can make use of all of these options; communicative action cannot. Moreover, strategic action does not in any way exclude the use of language to reach understanding, since this use can also be strategically rational. In fact, as we have seen, communicative action *is* a form of strategic action—at least if we read Habermas’s definition of “communicative action” in a way that allows for the very existence of the definiendum. In short, it is not strategic action where the one-sidedness is to be found.

After this counting up of worlds, world relations and functions of language, Habermas continues his rebuke of strategic action and praise for communicative action with the claim that the former is not reflective enough:

For the communicative model of action, language is relevant only from the pragmatic viewpoint that speakers, in employing sentences with an orientation to reaching understanding, take up relations to the world, not only directly as in teleological, normatively regulated, or dramaturgical action, but in a reflective way. Speakers integrate the three formal world-concepts, which appear in the other models of action either singly or in pairs, into a system and presuppose this system in common as a framework of interpretations within which they can reach an understanding. They no longer relate *straightaway* to something in the objective, social, or subjective worlds; instead they relativize their utterances against the possibility that their validity will be contested by other actors.¹⁷⁰

The word “reflective” can be read in the sense of “reflexive” or in the sense of “well-considered”. (However, it cannot be used, as Habermas seems to think, as the opposite of “direct”. The opposite of “reflective” is “unreflective”.) Habermas would not dispute the fact that strategic action is reflective (at least purposively rational strategic action); in fact he himself says that the agent acting strategically reckons. So Habermas must mean the word in the sense of “reflexive”. What does this reflexivity consist in? In the way that agents take up their relations to the world. However, there is nothing particularly reflexive in the mere integration of formal concepts of worlds per se. Thus we should rather look for this reflexivity in the agents’ relativizing “their utterances against the possibility that their validity will be contested by other actors”. Habermas continues:

Reaching an understanding functions as a mechanism for coordinating actions only through the participants in interaction coming to an agreement concerning the claimed *validity* of their utterances, that is, through intersubjectively recognizing the *validity claims* they reciprocally raise.¹⁷¹

If I understand this right, this is the reflexivity in question: someone says something and then relates back to it, mediated by criticism or agreement, either in revising it, I suppose, to increase the likelihood of consent, or else, in so far as agreement has already been achieved, checking off his speech act as “accepted”. And the indirectness Habermas speaks of comes into play when action is made dependent on this agreement. As we know, agents acting communicatively pursue

their individual goals under the condition that they can harmonize their plans of action on the basis of common situation definitions.¹⁷²

In light of such a refined system of finely tuned feedback loops in communicative action, one might anxiously ask: can strategic action really keep up?

I think so. We should not forget that we are discussing points here that Habermas treats under the moniker “implications of rationality”. We can assume, then, that an indirect relation to problems is particularly rational for Habermas. I cannot share his view. If I see a car coming towards me on the wrong side of the street, it is rational for me to relate to it *directly* and swerve out of the way, rather than reaching for my mobile and discussing the problem with the communicative community. Moreover, a model of action that declares language to be relevant *only* under the aspect of taking up “relations to the world” *in orientation towards reaching understanding*, turns a blind eye to all other aspects and neglects to ask whether another use of language might not be appropriate in a certain situation strikes me as anything but reflective and reflexive (if these terms are interpreted in a way that is somewhat more relevant to a theory of rationality). It seems, in fact, rather pre-occupied and close-minded. Furthermore, agents acting strategically also relativize their actions—that is, against their effectiveness. They do not conceive of their actions as absolute or unconditional but rather are ready to learn from failures in order to perform other, more promising actions. And finally, agents acting strategically can of course also act indirectly when necessary. Agents acting communicatively do this even when it is foolish.

Thus, Habermas’s thesis that the “presuppositions” of communicative action, including “ontological” presuppositions and above all linguistic ones, present stronger “implications of rationality” than the presuppositions of strategic action is false. Incidentally, our critique of this thesis and the arguments deployed against it also refute the claim that communicative action involves a higher degree of *complexity* than strategic action (although of course a higher degree of complexity does not necessarily imply a higher rationality).

1.3.3. Integration or Confusion?

Aside from the issue of *higher* complexity, a further question arises. Does Habermas succeed *at all* in bringing the various strands of his theory of language and speech acts together into one *complex*, unified under the concept of communicative action? Or does he leave us with a mere collection of loose ends? After all, Habermas sees his concept of communicative rationality as connecting to “ancient conceptions of *logos*”¹⁷³ and both language and the idea of a harmonious synthesis

are central to the concept of *logos*. Moreover, Habermas explicitly ascribes an “integrative role”¹⁷⁴ to his communicative rationality—here under the heading of “discourse rationality”.¹⁷⁵

So: do Habermas’s considerations of speech act theory cohere harmoniously?

Let us look at how Habermas tries to tie these strands together. I have already quoted this explanation of his:

Reaching an understanding functions as a mechanism for coordinating actions only through the participants in interaction coming to an agreement concerning the claimed *validity* of their utterances, that is, through intersubjectively recognizing the *validity claims* they reciprocally raise.¹⁷⁶

And as he explains in greater detail:

Thus the speaker claims truth for statements or existential presuppositions, rightness for legitimately regulated actions and their normative context, and truthfulness or sincerity for the manifestation of subjective experiences. We can easily recognize therein the three relations of actor to world presupposed *by the social scientist* in the previously analysed concepts of action; but in the concept of communicative action they are ascribed to the perspectives of *the speakers and hearers themselves*. It is the actors themselves who seek consensus and measure it against truth, rightness, and sincerity, that is, against the “fit” or “misfit” between the speech act, on the one hand, and the three worlds to which the actor takes up relations with his utterance, on the other.¹⁷⁷

First of all, as we already discussed, utterances cannot be valid. Thus it would be hard to come to an agreement about the validity of utterances. These sorts of attempt would make no sense. Someone might object here that this is merely a terminological problem; one could define the term “validity” such that it pertains to speech acts that measure up to the three validity claims favoured by Habermas. One could do this, of course; but since it flies in the face of our use of language and is hence ideally suited to sow confusion, it should be avoided. However, the decisive point is this: in order to capture what Habermas means by validity, our philosopher of language *first has to introduce* just such a concept. He does not, by any stretch of the imagination, take it from our “communicative practice of everyday life”. And the fact that there is no concept in our communicative practice of everyday life for the phenomenon that Habermas wishes to term “validity” is, in my view, a clear indication that this phenomenon does not play any particularly significant role for competent speakers in the communicative practice of everyday life. Most likely it is not even registered. In other words, contrary to his claim, Habermas’s arguments on this point have relatively little to do with the communicative practice of everyday life.

This suspicion is confirmed if we do what Habermas would rather avoid, namely, look at suitable examples.

A father says to his son: “Lie over my knee, I’m going to spank you!” It is quite evident that the son can recognize the sincerity, legitimacy and the truth of the existential presuppositions of this speech act without being in agreement with the father’s request. We can easily imagine the father adding further speech acts to this and asking: “Are you in agreement with this, my son?” For the son’s sake we would hope that he says “No” at this point. However, this particular son is, unfortunately,

“without reservations”, as Habermas calls it, that is, honest to the point of simple-mindedness, and the father is a devout reader of the “Theory of Communicative Action”. So the father continues, asking:

“Do you not believe that my demand is *legitimate*?”

Because of how he has been socialized, the son answers:

“Of course, as my father you are entitled to make that sort of demand.”

“Do you not believe that my demand and its utterance were *sincere*?”

“Quite the contrary. Unfortunately, it was quite certainly sincere.”

“Do you doubt the *existential presuppositions* of the speech act?”

“Of course not, I know that you have a knee and I have a backside.”

“Fine, then”, says the father, “since there is a consensus as to the truth, rightness and sincerity of the speech act, you *are* in agreement. How nice that we could clear this up in our unreserved discourse.” And then he grabs hold of the son, lays him over his knee and starts spanking him.

This is *agreement* according to the theory of communicative action—which also lays claim to be a *critical* theory.

An example similar to the demand to accept a beating can be constructed with declarations of war—and I will leave it to the reader to envision this in detail. And any woman who receives marriage proposals from a universal-pragmatic philosopher should be counselled to think it over several times before she unreservedly recognizes its truth, sincerity and legitimacy; otherwise there might be a misunderstanding.

It should be clear enough by now that a consensus about the validity claims of *speech acts* is not sufficient for an agreement about the *matter* addressed by speech acts.

The following example shows that such a consensus is also not necessary. Frank asks Julie if he should call the theatre and reserve two tickets for the play. She responds: “First of all, you don’t care whether I say yes or no. You’re just going to reserve tickets anyway, and then say that we might as well go now that we have tickets reserved. So, secondly, I find it mean and hypocritical of you to even ask. Besides, thirdly, it would be a miracle if there are still any tickets left. But it doesn’t cost anything to ask. So here, call!” And with these words she hands him the local weekly with the telephone number of the theatre. In short, Julie does not recognize any single one of the validity claims of Frank’s speech act (and Frank does not need to recognize any of her validity claims), yet despite this she comes to an agreement with Frank about the matter at issue in the speech act and about the coordination of their actions. Habermas’s thesis:

Reaching an understanding functions as a mechanism for coordinating actions only through the participants in interaction coming to an agreement concerning the claimed *validity* of their utterances, that is, through intersubjectively recognizing the *validity claims* they reciprocally raise

is false.

With the failure of this thesis, which is the core of the theory of communicative action, *the entire theory collapses into itself*. Reaching an understanding [Verständigung], which Habermas considers “to be a process of reaching agreement [Einigung] among speaking and acting subjects”,¹⁷⁸ functions flawlessly without any agreement about the validity of speech acts.

Moreover, it functions even without *illocutionary* acts—in Habermas’s sense of the term. This entirely contradicts Habermas’s assumption; as he writes:

What we mean by reaching understanding [and the understanding-oriented attitude] has to be clarified *solely* in connection with illocutionary acts.¹⁷⁹

We have seen earlier¹⁸⁰ and again just now that this has very little to do with reality. Yet Habermas needs to bring illocutionary acts and goals together with communicative action. So he writes:

Thus I count as communicative action those linguistically mediated interactions in which all participants pursue illocutionary aims, and *only* illocutionary aims.¹⁸¹

We have already noted that Habermas himself was forced to retract this “and *only*”.¹⁸² Thus the following reformulation suggests itself:

Linguistically mediated interactions that are coordinated by all participants solely through the pursuit of illocutionary (and not perlocutionary) aims constitute communicative action.

As mentioned, this is Habermas’s authoritative definition, whereas his “popular” definition, as we might call it, mentions only the condition “that participants carry out their plans cooperatively in an action situation defined in common”.¹⁸³ Communicative action in its true, strict sense does not exist. The coordination of action through illocutionary acts in the way Habermas describes is impossible. Moreover, it is not even true that one necessarily pursues illocutionary aims in acting cooperatively—no matter how the “linguistic mechanism of coordinating action” might function. The illocutionary aim is simply that the speech act be understood and its validity claims recognized (which, as Habermas explicitly states, does *not* hold for imperatives and announcements, *even though* they are still supposed to operate “within the domain of communicative rationality”). Thus, when a speaker pursues illocutionary goals with an assertion, she has to want the assertion to be (rationally) accepted as true. But why should someone want this in communicative action, understood as action concerned with the cooperative coordination of action—especially when, as we saw, illocutionary successes are by no means necessary for this? Let us consider the following situation: I call a friend of mine and say: “I just looked in the weekly paper, the concert we wanted to go to doesn’t happen until next week.” “No, no, I saw that too, and I asked the organizers. The concert is tonight, it’s a misprint in the paper.” “Oh, thank God.” My assertion that the concert happens a week later was rejected, but not to my dismay, clearly. It is simply incorrect to claim here that I had performed this speech act with the aim of it being accepted. Of course I wanted it to be accepted as true *if* my friend

were not better informed. However, this is a *different* aim than the one Habermas terms *illocutionary*. Moreover, I certainly wanted my assertion to be *rejected* in the case where she *did* have better information. Habermas himself concedes this, since he places value on the notion that speakers in communicative action “relativize their utterances against the possibility that their validity will be contested by other actors”.¹⁸⁴ To put it succinctly, *no* illocutionary aims are pursued in communicative action, understood as action in which action plans are coordinated cooperatively.

They are not usually pursued outside of communicative action either. Even when, in non-communicative action, I have an interest in the other person accepting a statement as true—as in the case of lying, for example—it does not have to matter to me at all whether this acceptance is *rational*. In general we can say that Habermas’s extremely unorthodox—not to say outlandish—definition of illocutionary acts has the result that most examples of those types of speech act that would normally be considered illocutionary, such as questions, assertions, promises, declarations of love and requests, are *no longer* illocutionary acts. If I ask someone what time it is, I do not care if the person tells me the time *rationally* or because, through some irrational mental processes, he considers himself the god Chronos. I am interested in the time, not in the mental processes of the other person. And if I were asking not for the sake of learning what time it is but as a tactic to approach the other person, then I might be quite delighted if the answer was not given rationally but rather, to use Weber’s terms, affectively. Also, the everyday use of the other speech acts listed—which Habermas supposedly wishes to “reconstruct”—are by no means directed towards rational acceptance of the speech act. *Acceptance*, whether rational or not, is entirely sufficient, and often we do not even aim for this, but just want to be understood.

Dietmar Köveker claims that Habermas has drawn the “consistent conclusion”¹⁸⁵ from “the” theory of speech acts and from the difficulties of treating perlocutions with this argument: “Acts of this kind—acts that have become independent as perlocutionary acts—are *not illocutionary acts at all*, for they are not aimed at the rationally motivated position of an addressee.”¹⁸⁶ To this we can respond that neither is it consistent, nor does it have anything to do with “the” theory of speech acts, but rather only with Habermas’s distorted version of the theory. The conclusion is not consistent because, while one is not normally aiming at a rationally motivated position with a threat such as “Your money or your life!”, one *can* be. Someone who intends to prove this could confront a subject with this threat, “Your money or your life!”, while directing a rationality detector at the subject in order to document the results, with the precise intention of moving the subject to *rationally* give up his money. And of course it is in no way irrational—which, incidentally, Apel points out in response to Habermas¹⁸⁷—to prefer to give up one’s money upon being threatened with a drawn weapon rather than losing one’s life. So this threat would then count as an illocutionary act. And Habermas’s “theory” of speech acts is distorted because with assertions, promises, requests and other speech acts that are normally considered illocutionary we typically do *not* just aim at rationally motivated positions, but rather at quite different things. Accordingly, for Habermas speech acts such as requests, assertions, questions, etc. would no

longer be illocutionary acts per se—rather, only a few *examples* of these types of speech acts would count as illocutionary acts. Thus Habermas’s speech act theory is not even capable of correctly identifying its own object—the speech act.

To summarize the results of the first chapter:

The project of demarcating a so-called communicative rationality from purposive rationality had already proven to be implausible in its basic approach, and this has been entirely confirmed upon examination of the details of this project. The so-called speech acts oriented towards reaching understanding can be traced back to success-oriented actions, communicative action can be traced back to strategic action, and discourse is also a goal-oriented activity. Thus discourse, communicative action and action oriented towards reaching understanding are subject to the standard of *purposive rationality*. The rules that make the *way of performing* these various actions rational are the rules of *instrumental rationality*, which is in turn a derivative of purposive rationality.

Moreover, Habermas would not have succeeded in working out a discourse theory of rationality even if he had been able to make a categorical distinction between strategic action (or success-oriented action) and communicative action (or action oriented towards reaching understanding) plausible. The rationality allegedly inherent in communicative action does *not* point to discourse, and the transition to a theory of discursive rationality is not possible. Furthermore, Habermas fails to make the primacy of communicative action over strategic action plausible. There is a primacy here, but it is the reverse of what Habermas thinks—the primacy is on the side of strategic action and thus, again, of purposive rationality. Finally, Habermas also fails to bring together his various theoretical arguments about speech acts, action and rationality into a coherent whole. It remains a mere contradictory aggregation of prop pieces; a *theory* of communicative action is nowhere to be found.