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Practical Intersubjectivity/Fugitive Intersubjectivity: Intersubjectivity & Pragmatics in Explaining the Normative

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PRACTICAL INTERSUBJECTIVITY / FUGITIVE INTERSUBJECTIVITY

INTERSUBJECTIVITY & PRAGMATICS IN EXPLAINING THE NORMATIVE

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I. Historical institutionalism turns to discourse, argument and practice defining the normative commitment in dealing with the constituting of preferences and strategies. Beyond historical institutionalism with its focus on capacity, critical junctures, and causal path dependency, an interpretive and critical policy analysis follows Mary Douglas' How Institutions Think (1986). The critical portal for such interpretive analysis in public policy deliberation is actors' taking subject positions - themselves constituted discursively along an arc or trajectory - as an ensemble (or constellation) of interpretive schemas and interpretive procedures, as well as accounting practices such as collective identities and collective rights claims. (See Figure 1 below/ attached).

While social constructivists have conceived of political culture as an extremely static variable which changes only in relation to a major crisis ("conjunction"), this paper taking a cue from Gilles Deleuze's Bergsonian film project argues for a more diremptive approach/cinematic flow scan of the interior arc or trajectory of incompatible speech acts and institutional facts as well as the multiple temporalities at work at any given instance.
A more critically oriented institutionalism journeys into the interior of our constituting values, norms and practices in a mode that gets us beyond mere “interestedness” of liberal utilitarian rationality and moves us towards an understanding of “committedness” as an endogenous emergence of argumentative logic along an arc of subject positions providing legitimation claims.

We are not just bearers of institutional supports, but actors who draw upon a repertoire of discursive legitimation resources of purposive and substantive argumentation.

- We are thus at the same time bearers of commitments and intentionality.
- We are actors capable of discursively taking subject positions that do not accommodate dominant hegemonic positions.
- We are bearers of signification searching for a signifier.
- We are bearers of mutually recognizable significations with legitimation claims.
- We live our positions in an trajectory (or constellation) of institutionalizing practices as subjects.

Mutual recognition involves what phenomenologists refer to as a lifeworld: that is, a critical space of categorials in order to account for how it is that we seem to understand what each other means. Institutional space/institutionalizing space is always open to the novelty and creativity of actors.

Public policy deliberation is a process of mutual argumentation and clarification grounded in what actors think are the reasons for obligation, committedness, a sense of oughtness, and a sentiment of bindingness. Normative explanation is an alternative to ordinary social science explanation. Interpretive policy analysis emerges because conventional/established political science in its focus on causal sequential linearity and inter connections does not provide for disclosing normative facts: the evaluative and the regulative subjects accept and affirm in their interactions thus binding them together with collective identity as a social unit. The commitment to and compliance with the institutionalized facticity that is normativity controls the collisions of different interests, intentionalities, languages and modes of conduct and interpretation.
How do people bring a self-referential model of practices into existence? How do they about such a framework? How do they talk about it? How do they maintain it? How do they inform it? How do they reform it? Transform it? Deform it?

Beyond the examples of Emile Durkheim and Talcott Parsons-- as Alfred Schutz and Jurgen Habermas have shown us--there is a lifeworld of "intersubjective know-how." That normativity pervades the lifeworld in a way that words are "reconciled with the contingency of sociocultural forms" that have seemingly evolved naturally as evervescent forms of life and institutionalized juridifications. This evervescent institutionalizing imaginaire is what Cornelius Castoriadis refers to as magma, and what Alain Touraine more matter-of-factly calls social movements. (Again see Figure 1 below/ attached).

Building on the Husserlian understanding of lifeworld as a basis of communicative interaction and competency, Habermas (like Sartre) moves us to a different concept of the subject than the liberal "I"/ or transcendental ego as the precondition of communication. Contrary to Finn Bowring [1995], this is not a lifeworld without a subject. And contrary to mechanical Marxism, this subject is pluralistic: not monistic. We confront what Kristie McClure and Chantal Mouffe might agree with me in calling "The Social Subject[s] of Rights as I delineate below.

We are moved to go beyond the constructivists [e.g., Colin Hay, Michael Urban] with their sociology of knowledge approach which focuses on policymakers' application of ideas. Such is an analysis of the shared language of "We-ness", a mentalité of a norm-binding political class consciousness. This is an approach which parrots David Truman's interest group liberalism "rules of the game" and "potential interest groups." It fails to account for the institutionalizing practices of social movements -- i.e, The Social Subject[s] of Rights.

There is a need to probe and test the warranted assertions of legitimation claims and truth claims inherent (i.e., implicit) within the practices of an already established institutional policy regime with its own legacy and trajectory (arc) of subject positions. And at the same time "make explicit" and decode the institutionalizing speech acts (cf. John Searle) in the trajectory of social movements bent on reform or transformation.
In so doing, we reveal an immanent predicate logic that unfolds categorically within a context of situated agency--providing the basis for critique. The challenge for interpretive policy analysis is a critical political sociology: a knowledge as internal ensembles of categorials ("claims")--to use the critical theory approach of Moishe Postone, 1995)--that are open to interpellation: that is, interrogation.

To do so we are moved

* to align historical institutionalism with a theory of legitimation grounded in actors' valuation of what is right: of values which they commit themselves to;
* to reveal a critical space within which we can decipher practices of institutionalizing emergence along an arc of subject positions;
* to comprehend what Hans Joas refers to as the pragmatics involved in "the genesis of values" (what can also be labeled "valuation" or "valorization") and the possibility of engaging in sieve-like manner (criable) to study values relationally rather relativistically (pace Mannheim).

In so doing Habermas's moral universalism can be avoided as we adopt adapt the pluralist orientation of what we will refer to as "the Social Subject[s] of Rights."

This paper builds on the pioneering work of Habermas, Bergson, Deleuze and Joas on intersubjectivity; and creatively refines their respective analyses for a comparative political sociology utilizing their respective pragmatic turns with a nod to Joas' proximity to the work of Paul Ricouer, esp. Oneself as Another / Soi-même comme un autre [1990]. There Ricouer moves away from Habermas's best argument universalism in comprehending the web of values and subcultures constituting any society. Ricoeur redefines the dialectic pragmatically but not in accordance with Habermasian "universal pragmatics."

The Linguistic Turn is followed by the discursive turn, redefined by interpretive policy analysis as the argumentative turn. And in this paper followed by two different pragmatic turns.

The lifeworld is comprehended pluralistically in terms of differing forms of life/practices as they relate to "multiple goods." These multiple goods spawn convictions/commitments in the form of meanings, interpretations, evaluations. The dialectic is
posed as between argumentation and conviction. Conflict is irresolvable; and only normatively regulatable in a relationality of mutual recognition.

II. Living in the world of others presupposes that co-authors not only attempt to reduce their differences in communication, but that they acknowledge one another as co-authors of ideas, projects and institutionalizing practices. Intersubjectivity takes us beyond the extreme subjectivism Jean-Paul Sartre’s *Being and Nothingness* [1943] on the one hand, and Michel Foucault’s complete dismissal of the subject in the 1970s. Intersubjectivity is a condition rather than an accident of the creative interactions of our mutually lived experiences; it is a coupling and co-emergence of self and others. Conceptually it denotes

- shared understanding which helps us to relate one situation to another;
- an attachment and fusion of minds without an inference to other minds, but with reference to others’ beliefs and intentions; and
- the capabilities of human minds to conceive, create and communicate about social realities [Marková, 2003].

The understanding of intersubjectivity is grounded in a relationality of action where we mutually recognize each other as intentional agents. Living in the world of others presupposes that in coupling and co-emergence we not only attempt to reduce our differences, but that we acknowledge one another for our conscious mutual creation or joint narrative – as co-authors of ideas, projects and institutionalizing practices. It is the reflexivity of the awareness, engagement and effort involved in joint conscious creation or jointly created narrative. [Schutz]

More than shared or mutual understanding, it is a structure of practical reasoning, action and reflexivity that we constitute in our interactions. As Habermas describes it (again Figure 1 below/attached), intersubjectivity is understood with regard to common language (*la langue*) understood grammatically as a constraining structure of normative regulative rules. While intersubjectivity itself is understood as a speakingness (*le langage*) in the form of speech acts with the potential of institutional facticity [Searle].
Normative institutional facticity is produced by so many brains that it is practically impossible to trace them to their neurological roots. Subjective interpretations are submitted to a process of interactional comparison and calibration with the subjective interpretations of others who participate in the same lifeworld, the same speech act community, and the same discourse.

A policy regime is a normative framework in that

- it organizes negotiations among a formally specified set of actors;
- it is an ensemble of constitutive discourse providing the constellation/imaginaire of subject positions through which we as "subjects" are oriented to interpret the symbolic order into which we are drawn, (or pace Martin Heidegger "thrown);
- it is a carrier of constitutionalizing regulative/governance rationales and
- it is an internal ensemble of discourse with an institutionalizing trajectory
  * which generates both legitimation and truth claims; and
  * which is open to interrogation/interpellation to yield arguments and "forms of life".

Institutionalizing practices can be grasped in terms of underlying "assertional commitments" [Brandom, 1997]. These are immanent historical warrants (warranted assertional commitments) within a regime of discourse open to self-reflexive interrogation/interpellation.

Practical intersubjectivity involves intentionality, attentionality, listening, gathering, associating, making claims, taking up projects, practical know-how and witnessing. It also involves

- self-reflexive shared understandings of the "thick descriptions" of institutionalizing practices [Hilary Putnam] we trace as predicates in an unfolding trajectory of a particular historical project;
- practical reasoning and justification accounts that involve public reasoning; and
• constellations of practical reasoning regarding symbolic orderings that have become patterned and even congealed as structures. [Roth, Joas 1900.2000 ]

Practical intersubjectivity develops both (1) normative patterns of assessment as a result of negotiation among others in the social lifeworld; and (2) practical mastery of normative proprieties that operate implicitly in the concepts that comprise the commitments. It is the significance of being committed to a claim and its assertible content that we describe as "normative. And implicit norms govern the use of linguistic expressions in discourse and argument. [Cf. Oakeshott.] These implicit norms acting subjects/agents "what seems right"; "what we ought to do;" "what we are 'spozed' to do." [Brandom:233. 260]

Brandom refers to categorical practical commitment as the foundation of what he refers to as the normative pragmatics of our social interaction practice, rather than the discourse theoretical terms of universalizing truth claims that is Habermas's universal pragmatics: apriori Kantian pragmatism maintaining a noumenal and a phenomenal level of cognition.

• gives us reasons why we do certain things and avoid others; and
• gives reasons to acquire certain further beliefs and claims by making inferences.

In Truth and Justification [2003], Habermas concedes that discourse need no longer be seen as the autonomous accomplishment of a detranscendentalized linguistic reason, but is fundamentally interlaced with the action-contexts of the lifeworld. This Joas has argued opens up Habermas's pragmatics to creative engagement of actors in bringing something new into the web of entangled values and norms as moral practice. Such novelty reconstitutes action and discourse, and serves as the basis of social learning and experiential growth.

What is the nature of this pragmatic turn? A focus on the dialogic patterns of practical reasoning wherein lies the nucleus of argumentation. But intentionality will be understood in terms of normative pragmatics with a Deleuzian/ Bergsonian twist. Our ruminations will take us in the next section to emergent yet fugitive frames of
reference and their institutionalizing practices with their kernels of procedural schema of practical reasoning

Habermas's *formal pragmatics* frame and interpret the propositional content emerging within practical subjectivity performative speech acts. Performative proposition is

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understood as expressing a legitimation claim inferring commitment and intentionality

Brandon's *normative pragmatics*, on the other hand, begins with an account of social practices in terms of their situated agency: the governing/ regulating normative rules inferring discursive commitments.

Norms are initiated by practical attitudes whereby agents take or treat these normative proprieties as committing and entitling other agents themselves to further beliefs, further making of claims, further actions. [Brandon, p.xiv.] And "normative patterns of regulation" are not to be appreciated as part of some mythic/mystic tradition, but as institutional facticity negotiated in our social lifeworld. [Brandon, p.231]. Cf. Searle who understands institutional facticity as the nature of participatory performative speech acts in the promising game/ legitimation game inherent in legitimation.

Our relational practical intersubjectivity is embodied and situated. It is intraworldly wherein our being *co-dasein* in forms of life shared in a norm-governed community.

Brandon's view of practical intersubjectivity begins with an accounting for moral practices inferring normative commitment. He makes use of a model of interaction from a Wittgensteinian point of view; comprehending norms as constituted in practice: wherein are embodied patterns of commitment in our practical reasoning.

**III.** Interpretive policy analysis [IPA] -- as Bevir and Rhodes argue -- focus on the ways in which participants in dialogical deliberation on public policy *account for*

* their own norms and values in producing policy knowledge;
* their own claims, arguments and preferences derived from a contingent ensemble/ constellation of subject positions regarding normative rightness; and
* such claims, arguments and preferences are intersubjectively grounded in what actors think is "right."
IPA
* accepts agency as a capability [pace Martha Nussbaum and Amartya Sen] to adopt norms and values in their actions -- even novel ones—for reasons of their own practical intersubjectivity;
* understands public policy deliberation as a practical intersubjective engagement

through a context of signs (i.e., semiosphere) in a process of mutual argumentation and clarification; and
* as the co-production of participatory governance practices of bootstrapping and benchmarking (often in autonomous spheres of law-making outside the institutions of the State.

As Charles Larmore [1996, p.159] points out significant value conflict emerges where values are not rankable with respect to some common denominator in regulating conflict and enabling policy deliberation/ innovation — and where no argument can logically be proven to be either right or wrong.

PragmaDialectics [cf.van Eemeren and Houtlosser, 2003] is another interpretive strand of discourse analysis that specifically analyzes argumentative exchanges to sort out differences of opinion by means of what Roy Bhasker labels “critical rationalism”, including discrepancies between formalized rules and the speech acts revealed in participatory practices in negotiations. These speech acts can be differentiated: desires, beliefs, callings, conjectures, and demands. They can be gleaned from transcripts and minutes of proceedings of legislative and autonomous deliberative panels; as well as interviews to supplement such discourse analysis.

Joas in The Genesis of Values [2000] distinguishes between values and norms. Values refer to the good substantively; whereas norms aim at universality procedurally. This distinction recalls Max Weber’s own distinction between value rational authority (Wertrational) and proceduralist law rational authority (Zweckrational).

Contentiousness emerges here.
We move from the linguistic turn to the pragmatic turn.
First: Pragmatism denies this binary distinction.
Second: Habermas infers the primacy of norms over values.
Third: We cannot avoid a contextualism in which the truth of proposition is indexed to a context of justification.
Fourth: We are impelled to analyze how the normativity that pervades the lifeworld can be reconciled with the fact that sociocultural forms of life and their associated arcs of subject positions evolve historically.

Fifth: Truth is understood as something internal to our justificatory linguistic practices.

Sixth: Can a reason embodied in historical contexts preserve the power for immanence?

Seventh: Pierre Bourdieu in his last piece *Propos sur le champ politique* [2000] presents social argumentation as a "force field" with bounded rationality, wherein there is "credit" so to speak -- in the form of symbolic capital like beliefs, and a kind of arc of subject positions we can discursively draw upon.

Further, Hans Joas [2010] stresses the affectual dimensions of value commitments, noting the limitations of Habermas's framework of cognitive rational interests:
* confronting Kantian foundational shared universality with a Wittgensteinian/Oakeshottian sense that mental states are not something quite different from embodied intersubjectivity and conduct; and
* tipping his hat to Bernard Williams's moral concept of conviction;
* recognizing the necessity of the dramaturgical role of telling stories about how our commitments arose.

What Joas and Bourdieu provoke us to consider is to go beyond the normative as regulative to a depth level of underlying values understood historically: both contextually and trans-positionally -- as in the trans-positioning of horizons past and Nietzsche and Foucault.

Normative commitments descends upon us, J.M. Bernstein [2001] argues, from the invocation of fugitive ethical moments haunting the present: like "spectres" as Derrida refers to them. This is an ethical duty to remember. This is poetic knowledge.

_Fugitivit_y connotes the fleeting in time; the evanescent; the episodic; "flashes of epiphanic experimentalism" [J.M. Bernstein again]; the flashes spiritual sensibility; the immanent. Fugitive ethical moments are ruptured out of time past as profound illuminations in a creative process of discovering the truth – of grasping the unfolding of becomingness in temporal ebbs and flows. These fugitive flashes are grasped as having strong durational intensity among multiple temporalities [Bergson].
The internalism of immanent critique can be thus understood as as operating within what Deleuze refers to as "planes of immanence." This is for Deleuze an "immanence of fugitive differences" on the planes or fields of agonistic social forces. This involves the pragmatics of a fugitive intersubjectivity which traverses a shared arc of subject positions, transgresses the field itself, particularly transgressing inherited normative forms, and offers alternative valuation/valorization: but not in a wholly cognitive manner.

Moishe Postone [1995x] understands Derrida’s spectrality as that which is not identical to the present; and which impels us to self-reflexively consider valuation/valorization that underlies the normative present and our practical intersubjectivity. We are impelled to reflect on how time loses its qualitative, variable, multiple and flowing nature and becomes fixed/“crystallized” as abstract time—which is, spatialized clock time—as on a quantifiable continuum of reified “things”. We are reminded of the social ontological outside the reified categorical. We are reminded of the pluralism of creative “mediating” human practices with their ensemble of heteronomous subject positions. We try to get a grasp on the dialectical unfolding of historical flow and the predicate logic of institutionalizing practice.

Fugitive intersubjectivity reappears as evanescent flashes of memories and horizons; only to vanish at the moment they are sublimated into institutionalized or institutionalizing form (Wolin: 1994). These fugitive ethical moments are conjured up in Deleuze’s Bergsonian film project—as well as in Georges Sorel and Vilfredo Pareto—as a diremptive framing of the durational flow (durée). This involves a cinema-like envisioning in successive framings of the ebb and flow of internal time consciousness of multiple temporalities. Recalling Bergson, Deleuze [1966:p. 28] compares the durée of fugitive intersubjectivity with the example of the artillery shell which is shot into the air and bursts into fragments...creating particular paths.”

In Cinema 1 [1986], Deleuze introduces the concept of “planes of immanence” denoting fugitive moments that traverse the framed field, stir it up, deconstruct it, and prevent its closure. These fugitive instances stun us out of the conventional/habituated narrative and genre we have learned to accept and comply with. Further, Deleuze describes the “shocks of difference” whose intensity dissipates when these fleeting/fugitive moments are secondarily homogenized into reified perceptions of the flow of time.
Fugitive intersubjectivity is what Max Weber understood as the "mystery": "the missing" which we feel "affectively" and enchantedly at moments of grace.

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Fugitive intersubjectivity captures the moments of rupture and juxtaposed presents as an act of creative capability to participate creatively in the movement of becoming. [Deleuze, 1995].

Diremptive framing scans a constellation of imagined subject positioning, marks its traces and residues, and opens it up to montage-like presentation. These traces and residues notes Alain Touraine [1977:pp.362, 319] -- like Vilfredo Pareto and George Sorel before him -- "overflow the frame in which they appear" and "mobilize demands which cannot be entirely satisfied" in the conventional habituated present in which we coast rather than plunge ahead.

Figure 1

(derived from Habermas: Zur Entwicklung der Interaktionskompetenz (Frankfurt a.M./April 1975), pp. 8-9).
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