

De-essentialising Across the Board. No Need to Speak the Same Language

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Preview: intercultural and intracultural communication

In writings on multiculturalism and intercultural communication the issue of language is rarely addressed seriously. Consider a statement such as:

The true situation is that multiple intersecting axes of differences and inequality are contested simultaneously. The meaning of laws and rights can only be played out in concrete political struggles.

The problem with such statements is that the issue of language remains vague – typically there is the tacit assumption that all involved speak the same language (say, English). The same applies to virtually all other recent publications concerned with the (global) public sphere and issues such as North-South dialogue, group rights, international cooperation, multivoiced beings, global justice, human rights, and so on. In addition it is generally considered self-evident to make a distinction between intracultural and intercultural communication, as is testified by the use of the expression ‘intercultural communication’ in a wide range of contexts. Of course, ‘normally’, there is a considerable difference between learning a native language and learning a non-native language. Of course there are exceptions to the normal case; for example children who grow up to be perfectly bilingual. However, no matter how normal ‘normal’ is, it would be wrong to assume that the ‘normal’ case is by definition the better case and to defend or imply the *thesis* that there is a principled difference between inter- and intracultural communication. The mistake is to reify or essentialise the notion of ‘a language’.

Probably all of us have heard of arguments to the effect that cultures shouldn’t be essentialised, but what about de-essentialising language(s), meaning(s), justice, and so on? I will advocate de-essentialising across the board. A

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critical reader will note that often in the language I use I don't adhere to my commitment to de-essentialising, because it is impossible to speak without some essentialising. One concept I will take for granted on this occasion is the notion of human being.

De-essentialising meanings

Meanings are not fixed, but fluid; the meaning of words is not a sort of entity which is produced by the speaker's mind and then taken into the hearer's mind. The mind is not to be conceived as a storehouse for the meaning of words, mental images or representations. Meanings are not to be conceived of as a stockpile in Plato's heaven or listed in the social contract of agreed upon conventions of a group of speakers. The 'token-meanings' of an utterance as uttered and as understood are not identical in the sense that they are tokens of THE MEANING or THE REFERENCE of the utterance. The meanings of utterances have a vagueness and flexibility that resists ultimate rational reconstruction, but this is sufficient for successful communication, cognitive cooperation, social engagement, or aggressive dissensus for that matter.

Why should we de-essentialise meanings? Not to downgrade them, but because we are *always* interpreting, giving meaning, to many utterances, many beliefs, many judgements, many actions, and so on, of many people (including ourselves), and all this *at the same time*. This applies quite independently of how language is involved (native or non-native speaker, intra-cultural or intercultural communication). One might start to worry that de-essentialisation entails an anything goes relativism. Instead it takes seriously that which has meaning. Only if meanings are de-essentialised is 'full-blooded' communicative interaction possible; is criticism possible.

Ideal language syndrome

Essentialising language is most prominent in what I will refer to as the ideal language syndrome. The idea of an ideal language goes back to the origin of western philosophy. According to Aristotle,¹

Spoken words (the sounds) are the symbols (signs) of mental experience (the psyche, including thoughts) and written words are the symbols of spoken words. Just as all human beings have not the same writing, so all human beings have not the same speech sounds, but the mental experiences, which these (i.e. the written and spoken words) directly symbol-

¹ Aristotle, *De Interpret.* 16a3-9.

ize, are the same for all (human beings), as also are those things ('out there') of which our experiences (concepts, thoughts, etc.) are the images (representations, etc).

In the time of Leibniz and Descartes, the ideal language project was a matter of great concern to many philosophers. Leibniz proposed (c. 1679):² 'There must be invented, I reflected, a kind of alphabet of human thoughts (...) I believe that a few selected persons might be able to do the whole thing in five years.' In a letter to Mersenne Descartes wrote in 1629:

I would dare to hope for a universal language very easy to learn, to speak, and to write. The greatest advantage of such a language would be the assistance it would give to men's judgment, representing matters so clearly that it would be almost impossible to go wrong.

After the development of symbolic logic the idea of an ideal language was given a new stimulus. Frege specifies an ideal language as objective (eliminating individual and poetic aspects), exact (each expression has exactly one reference (*Bedeutung*) and one sense (*Sinn*)), structured or compositional (the reference and sense of each expression can be 'calculated' from the reference and sense of its constituting parts), and each sentence is either true or false.³ In passing I may add that as yet it has not been possible to construct an ideal language that meets Frege's criteria and in which simple natural language utterances can be expressed (such as indirect speech).

The trail of the ideal language reveals itself in unexpected places. It is not restricted to approaches associated with logic, artificial intelligence, or analytic philosophy. For example, Habermas' theory of communicative interaction based on his notion of ideal speech situation,⁴ derived from Peirce's community of inquirers,⁵ allows an unlimited (inter)change of dialogue roles and the freedom to move to meta-theoretical and meta-ethical levels (to call into question any originally accepted conceptual framework), but this is all within the bounds of one 'transcendental' ideal language.

2 Cited in N. Rescher 'Leibniz's interpretation of his logical calculi', in: *Journal of Symbolic Logic*, 19 at 1-13. An entertaining satiric exposition of the craving for an ideal language can be found in Swift's account of Gulliver's stay with the Houyhnhnms.

3 G. Frege, 'Über Sinn und Bedeutung', in: *Zeitschrift für Philosophie und philosophische Kritik*, 100, at 25-50; quoted from *Translations from the Philosophical Writings of Gottlob Frege*, at 58n, 59, 63-4, 69-70, P. Geach & M. Black, (eds.), (Oxford, Basil Blackwell, 1952).

4 J. Habermas, *The Theory of Communicative Action*, Vol. 1, 'Reason and the Rationalization of Society', (Beacon, Boston, 1981/1984), A. Giddens, 'Reason without revolution?', in: R.J. Bernstein, (ed.), *Habermas and Modernity*, (Polity Press, Oxford, 1985).

5 C.S. Peirce, *Collected papers of Charles Sanders Peirce*, in: Ch. Harthshorne & P. Weiss, (eds.) 8 vols., (Harvard University Press, Cambridge, 1931).

I will use the expression 'ideal language syndrome' to include *any* account that refers to some sort of common language as the ideal for intercultural communication, because the requirement to speak the *same* language, already essentialises language.⁶ Hence my subtitle, 'no need to speak the same language'. An example is Gadamer who stipulates: 'Every conversation presupposes a common language, or, it creates a common language.' Similarly Taylor advocates a language of perspicuous contrast 'in which the possible human variations would be so formulated that both our form of life and theirs could be perspicuously described as alternative such variations'.⁷ Even if some of us would intuitively respond that an ideal language in the sense Descartes, Leibniz, and Frege were thinking of, makes little sense for the world of natural languages, all of us easily essentialise language simply because we are used to dictionaries and grammar books which have standardised languages. For over a century, linguists have been busy regimenting the (remaining) languages of the world and for an even longer period languages have been accommodating themselves to the dominance of western technology, standardisation, and classification, the latter being exported with western technological products even if the recipients would never learn a European language.⁸ In addition, over the past half-century psychologists and cognitive scientists have been busy 'fixing' the cognitive or linguistic universals for 'basic level categories' via narrowly specified experimental techniques.⁹

No need for universal logic or cognitive universals

The language games of alternative logics, the discussion about justification of deductive logic, and disagreements about the interpretation of ethnologies, show there is no good reason for (first order predicate) logic to be a universal constraint on any utterance in any language.¹⁰ There is

6 This passage may give rise to confusion and is perhaps too provocative. I could also say: One can find remnants of the ideal language paradigm in those theories of communication which advocate parties to work together on a shared language as they go along.

7 Citations from H.G. Gadamer, *Truth and Method*, at 341 (Continuum, New York, 1975/1989, 2nd revised edition) and C. Taylor et al., *Multiculturalism*, at 125 (Princeton University Press, Princeton, 1994); see for another example M. Merleau-Ponty, *Sense and Non-Sense*, (Northwestern University Press, Evanston, 1964).

8 G. Deleuze & F. Guattari, *Capitalism and Schizophrenia*, 2 vols. (University of Minnesota Press, Minneapolis, 1983/1987; original French edition, Minuit, Paris, 1972/1980); M. De Landa, *A Thousand Years of Nonlinear History*, (Zone Books, New York, 1997).

9 For examples and critique see J. van Brakel, 'The plasticity of categories: The case of colour', in: *British Journal for the Philosophy of Science* (1993), 44, at 103-135; 'The ignis fatuus of semantic universalialia: the case of colour', in: *British Journal for the Philosophy of Science* (1993), 45, at 770-783; J. van Brakel, 'Emotions as the fabric of forms of life: A cross-cultural perspective', in: W.M. Wentworth & J. Ryan (eds.), *Social Perspectives on Emotion*, Vol. II, at 179-237 (JAI Press, Greenwich USA, 1994).

10 See J. van Brakel, *De Wetenschappen: Filosofische Kanttekeningen*, at § 3.1 and § 3.6, where the original references can be found (Universitaire Pers Leuven, Van Gorcum/Assen, 1998, reprint with minor changes, 2003).

no 'displayed (ir)rationality' that could show beyond doubt *modus ponens* is rejected, but neither is there an argument that 'rationally' forces someone to accept a logically valid argument (or to reject a formal contradiction), as was already shown in Lewis Carroll's story of the second meeting of Achilles and the tortoise.¹¹ This doesn't mean logic is to be discarded but it is itself part of interpreting meanings. Similarly, there is no need for linguistic or cognitive universals. For example, one can only speak about the 'universality' of, say, laughter or anger from within a limited cluster of lifeworlds, which set limitations on how the meanings of laughter and anger as well as the meanings of the criteria of identifying cases of laughter and anger are to be understood. Consider the differences and similarities between first, Ifaluk *song*, which has been glossed as 'justified anger' and second Utku (an Inuit language) 'anger' – *ningaq*, *qiquq*, *urulu*, or *huaq* – the latter four expressions focussing on different aspects of what 'we' call anger.¹² For the Utku 'anger' is *never* justified; for the Ifaluk 'anger' is *always* justified. By our lights all these people sometimes display anger (though the Utku only rarely). On that basis one might suggest that 'anger' is a transcultural universal, because there seems to be a core which all 'prototypical' examples of anger share. However, there is no reason why the universal shouldn't be *song* or one of the Utku notions, which, by the way, are more morally and rationally loaded notions than 'anger'. In parenthesis it may be added that 'anger' already has a surprising variety of uses among native speakers of English around the world, whereas the etymology of the word 'anger' in English-English shows that its current meaning fades away if one goes back in time.

And a similar reasoning applies to any clusters of expressions in different languages that have a conceptual family resemblance. This applies equally to relatively simple cases such as anger and *song*, as well as to more sophisticated notions such as the cluster justice, *lokilego*, *geregtigheid*, *zhèngyì* and congeners. And it may be added in parenthesis that 'justice' didn't keep the same meaning in the western tradition from Cicero up to the present day.

Language as praxis

According to the ideal language approach communication means 'conveying information'. However, in the words of Malinowski, long before speech

11 L. Carroll, 'What the Tortoise says to Achilles', in: *Mind* (1895), 4, at 278-280 [reprint *Mind*, 104, at 691-694].

12 This example is taken from van Brakel, 1994, *supra* n. 9, where the original references can be found.

act theory was invented,¹³ 'Words are part of action and they are equivalents to actions'.¹⁴ Language should not be conceived as a closed system, nor as a subjectively expressive medium, but as the concrete and ceaseless flow of *utterance* produced in dialogue between speakers in specific social and historical contexts.¹⁵ On Malinowski's pragmatist view, the content of speech can be understood only in terms of the action that the speech performs. Speech (and writing) are used to effect, produce, achieve, and mean things.¹⁶ Moreover, the context of an utterance cannot be described completely and the domain of discourse can never be fixed completely. Similarly, there is no 'context-free' criterion for how to separate utterance and context.¹⁷

Several things follow from this stance, only some of which can be discussed in more detail on this occasion: First, descriptive language has no special status; *chit-chat*, phatic communion (a type of speech in which ties of union are created by a mere exchange of words), and other language use is equally or more important.

Second, there is no principled distinction between literal and metaphorical language.¹⁸ There is no principled distinction between descriptive and evaluative or emotive language.¹⁹

13 Soon after the preliminaries of speech act theory were presented in the philosophy of language by Austin, it started to move in the direction of an ideal language approach – after all, it had to be theory. Searle is already moving away towards an ideal language approach of speech act theory. In particular the influential work of Sperber and Wilson, with its appeal to an overarching 'fixed' criterion of relevance, is a pure ideal language approach. D.F. Austin, *How To Do Things With Words*, (Oxford University Press, Oxford, 1962); J.R. Searle, *Speech Acts: An Essay in the Philosophy of Language*, (Cambridge University Press, Cambridge, 1969); D. Sperber & D. Wilson, *Relevance: Communication and Cognition*, (Blackwell, Oxford, 1986) and for a critique of the latter M. Toolan, *Total Speech: An Integrational Linguistic Approach to Language*, at 181-225 (Duke University Press, London, 1996).

14 B. Malinowski, *The Language of Magic and Gardening*, at II, 9 (Allen & Unwin, London, 1935); cf. L. Bloomfield, *Outline Guide for the Practical Study of Foreign Languages*, (Waverley Press, Baltimore, 1942); M. Bakhtin, *The Dialogical Imagination*, (C. Emerson & M. Holquist, eds.), (University of Texas Press, Austin, 1981, [translation of texts dating from 1937-1941]); R. Harris, *The Language Myth*, (Duckworth, London, 1981).

15 B. Malinowski, 'The Problem of Meaning in Primitive Languages', in: C.K. Ogden & I. Richard (eds.), *The Meaning of Meaning*, at 315-336 (Routledge & Kegan Paul, London, 1949 [1928]); Malinowski 1935, *supra* n. 14, at II, 9.

16 Malinowski 1935, *supra* n. 14, at II, 52, Harris, *supra*, n. 14.

17 These issues are related to the problem of complete description, of which the frame problem in Artificial Intelligence is a special case, the impossibility of giving a complete definition or description or causal explanation of any event (including the utterance of a word). See J.L. Mackie, 'Causes and conditions', in: *American Philosophical Quarterly* (1965), 2: 245-255, 261-264; J. van Brakel, 'The complete description of the frame problem', in: *Psycoloquy* (1992), 3 (60); also in: Vivek (Bombay), 5 (3) 11-16.

18 J. van Brakel & J.P.M. Geurts, 'Pragmatic identity of meaning and metaphor', in: *International Studies in the Philosophy of Science* (1988), 2: 205-226; M. Toolan, *Total Speech: An Integrational Linguistic Approach to Language*, (Duke University Press, London, 1996).

19 'The plainest practical reasoning requires the collusion of values and cognitive judgments.' L. Wittgenstein, *Philosophical Investigations*, at §218 (Basil Blackwell, Oxford (2001 [1953])); D. Davidson, *Truth, Language, and History*, at 1-73 (Clarendon Press, Oxford, 2004); Van Brakel 1998, *supra* n. 10 at § 9.4.

Third, linguistic communicative interaction is 'grounded' in and meshed with non-linguistic communicative interaction (see below).

Fourth, speech acts are full of ambiguities, malapropisms and hybridities, *without* obstructing communication in a principled way.²⁰

Fifth, scientific language is, in the end, subordinate to 'ordinary' language. Stipulation of meanings is always relative to unstipulated meanings.

Sixth, meanings are *not* theoretical objects. They have identity through time, but no essence. Meaning requires no more than fluency and effectiveness of dialogue: successful negotiation and attunement, smooth conversation.²¹

Seventh, whatever 'force' speech acts may have (including non-linguistic speech acts), is a power derived from the social institutions in which the utterance of the speech act participates.

Eighth, there is no need to speak the same language (see below).

Digression on universalism and relativism

There are many types of relativism, which all seem to lead to unsolvable clashes: cultures, religions, rationalities are incommensurable; behaviour, beliefs, attitudes, actions are incomprehensible; identities are incompatible; languages are untranslatable; understanding, interpretation is impossible. Why do these (alleged) problems arise? Because of the essentialisation of 'meaning' and 'language' by both universalists and relativists.

The confrontation of universalism and relativism is situated against a shared background, viz. a commitment to the isomorphy thesis or mirror metaphor (as expressed in the citation from Aristotle), entailing a dualism of mind (or language) and world, as well as an essentialisation of categories across the board. It is a commitment closely tied to the idea of the Myth of the Given:²² what we perceive, experience, and think is a mirror of what is the case or what is happening in the world (and vice versa). The assumption of such an isomorphy between language, thought, and world is another manifestation of the ideal language syndrome – the suggestion being that the 'language' of nature, the language we speak and think, is, in the ideal case, the *same* language: the language that literally says *how things are*.

Consider the following simplified example. Kwakw'ala (spoken on part of Vancouver Island, Canada) has one word for yellow and/or green: *lhenxa*; i.e.

20 Bakhtin, supra n. 14; D. Davidson, Problems of Rationality, at 89-108 (Clarendon Press, Oxford, 2005).

21 W.V. Quine, The Pursuit of Truth, at 47, 59 (Harvard University Press, Cambridge MA, 1990); Harris, supra n. 14.

22 See R. Tuomela, 'The myth of the given and realism', in: Erkenntnis (1988), 29, at 181-200. The expression 'Myth of the Given' stems from Sellars.

one word *lhenxa* for what is called either green or yellow in English.²³ The ‘anomaly’ might be expected to disappear if speakers of Kwakw’ala would be reminded that yellow and green are two different *unique* colours – at least that is what any psychology textbook will tell you about yellow and green. But though most contemporary speakers of Kwakw’ala are bilingual and know perfectly well the difference *in English* between yellow and green, they stick to *lhenxa* when speaking Kwakw’ala. Whatever the scientist or philosopher would have to say about the ‘salience’ or ‘uniqueness’ or ‘basicness’ of green and yellow could with equal right be said about *lhenxa*. To say that the apple is green and the lemon is yellow or that both are *lhenxa* is all equally salient and objective.

It is simple examples such as *lhenxa* on which universalist and relativist already disagree. However, the important issue is *not* whether speakers of Kwakw’ala use one word (*lhenxa*) for something twentieth century European languages divide into two (green and yellow), but whether or not it is *the same* that is divided into two. All literature using colour words to argue for or against ‘universalism’ or ‘relativism’ shares the same *universalistic* assumption, viz. that it is *colour* they are talking about.

The belief in cores or essences is shared by both universalist and relativist. Both are suffering from the ideal language syndrome. The only difference is that for the universalist there is one ideal language and for the relativist there are many ideal (*hence* incommensurable) languages. In contrast I suggest that there are no cores whatsoever, other than by contingent provisional conventional agreement; not for ‘green’, not for *lhenxa*; not for ‘anger’, not for *song*; not for ‘justice’, not for *zhèngyì*, not for language, not for *koto ba*, not for rationality, not for *ihuma*, and so on.²⁴

By de-essentialising both ‘simple’ things such as colour, as well as ‘sophisticated’ things such as ‘language’ and ‘justice’, it is rather straightforward to avoid the universalist-relativist or cognitive-constructivist dichotomy. If ‘colour’ (or whatever) is seen, not as an autonomous domain, but as embedded in lifeworlds which criss-cross and overlap (each individual human being belonging to many of them) and which are in constant flux (in particular when interacting), then there is no need for universals to guarantee translation and understanding. Alleged problems, such as the ‘threat’ of incommensurability or relativism, only arise at a theoretical level that sets inhuman standards such as requiring ‘complete’ understanding or ‘exact’ translation of utterances that meet the standard of an ideal language.

23 For the original references concerning *lhenxa* see J. van Brakel, ‘The empirical stance and the colour war’, in: *Divinatio: Studia Culturologica Series* (Sofia: MSHS, 2004) 20, at 7-26; For a critique of the universalist approach to colour words see van Brakel, 1993, supra n. 9.

24 *Zhèngyì* is one of the Chinese words that translates as ‘justice’; *koto ba* is an old Japanese word for language; *ihuma* is an Inuit-Utku notion that may be glossed as ‘rationality cum morality’.

Form(s) of life and/or lifeworld(s)

To the extent that people understand one another and themselves, this is due to their common participation in certain patterns, modes, or ways of life. Growing up is growing into lifeworld(s), the factual/historical structurations of human existence. The lifeworld or form of life is the whole of the moral, social, historical, communicative, mythical, and private discernments and orders which ground and create these orders. Form(s) of life refer(s) to the complex of natural and cultural circumstances which are presupposed in using language and in understanding the world. It is what makes meaning in a community possible.

Using Wittgenstein's expression 'form(s) of life' or Husserl's notion of 'lifeworld(s)', is just one way of speaking.²⁵ A similar picture could be achieved by contemplating any of the following expressions: always-already-being-in-the-world, world image, praxis, moral order, version cum world, third space, structuration, habitus, common sense, background, world of practical realities, and so on.²⁶ If taken in a de-essentialised way, they all belong to the family of form(s) of life and its congeners – even if, say, a Heideggerian would be horrified to find 'always-already-being-in-the-world' in this list. What I will present is not exegesis, not even of Wittgenstein's form of life or Husserl's lifeworld.²⁷ Strictly speaking to ask for an explanation or definition of 'lifeworld' or 'form of life' makes no sense. Lifeworlds are constituted by patterns of human activity, which cannot be given one definitive theoretical explanation or another, because they are the ground on which any explanation or justification rests. They are the background relative to which something can be said to be right or wrong. Any inquiry or reflection is dependent on the essentially tacit, preformational, incompletely fathomable contingencies of the lifeworld(s). It is only on the basis of this and against the background of which that enables us to pursue the objectives of science or other theoretical praxis such as (international) law-making.

If we start from certainties we can give reasons. But there is an end to giving reasons: the end is what is given in the lifeworld(s); it is where my/your/our

25 The literature on both notions is voluminous; original occurrence of *Lebensform* in Wittgenstein, *supra* n. 19, at §§ 19, 23, 241; and pp. 174, 226 and a few other places in work unpublished during his lifetime; and of *Lebenswelt* in: E. Husserl, *The Crisis of European Sciences and Transcendental Phenomenology*, at 38, 130-1, 136, 143, 380-383, (ed. D. Carr), Northwestern University Press, Evanston, 1970 [1935].

26 These expressions can be associated with the work of Habermas, Schütz, Heidegger, Sellars, Bakhtin, Lyotard, Goodman, Bourdieu, Austin, Searle, de Certeau, James, Ryle, Garfinkel, Austin, Hacking, and others.

27 This section draws on J. van Brakel, 'We', in: *Ethical Perspectives* (1999), 6, at 224-235. and J. van Brakel, 'Form(s) of life', in: R. Haller and K. Puhl (eds.), *Wittgenstein and the Future of Philosophy. A Reassessment after 50 Years. Proceedings 24th International Wittgenstein Symposium*, at 336-341 (Austrian Ludwig Wittgenstein Society, Kirchberg am Wechsel, 2001).

spade is turned. Questions (scientific, moral, or otherwise) can be raised about anything. But these questions cannot but be asked from *within* the certainties of the lifeworld(s).

It cannot be sufficiently stressed that form(s) of life should *never* be understood as something static. Though the lifeworld(s) may be referred to as 'bedrock', one should not understand this metaphor as passive, as being given *absolutely*. Though 'bedrock' points to secure attunements, even bedrock or rock bottom may, in certain circumstances, give way. Moreover, over time, as the metaphor already entails, the rockbottom will change.

By writing 'lifeworld(s)' or 'form(s) of life', I mean to refer to the singular and the plural *at the same time*. It is also meant to convey that this 'prenotational' notion should be taken as empirical *as well as* transcendental grounding, as moral *and* cognitive basis for everything else, as having universal *as well as* local application. There is *both* one and many human forms of life that crop up and disappear. It would be incorrect to talk of *many* human forms of life, because all have in common their humanness. It would also be incorrect to talk about *one* human form of life, because similarities and difference crop up and disappear, without their being a common core. To be a human person, it is both an empirical and a transcendental precondition that one is embedded in the certainties of particular form(s) of life. But at the same time one is capable of recognising and dealing with the (indefinite) variety of human form(s) of life.

Obviously, the notion of lifeworld(s) should not be essentialised in the way that was (is?) common for the notion of culture(s). Transcendentally there is a sense in which the commonplace question, 'how to make sense or understand a culture other than one's own' doesn't make sense, because it uncritically presupposes that 'understanding one's own culture' *does* make sense. There is also the more empirical observation that parts of 'our' culture may be quite alien to one of 'us'; indeed some parts of it may be *more* alien than cultural manifestations which are geographically or historically remote'.²⁸

Any understanding or account of what is similar across or within lifeworlds is particularised. What is similar has to be claimed, again and again, in all human interactions – where 'claimed' should not be understood in individualistic terms, but as part of a complicated process of triangulation between at least two human beings, their *Umwelt*, and their history and background (including more human beings). There are always similarities between forms of life, but what these similarities seem to be is dependent on the lifeworlds compared and the conceptual resources available to those making the comparisons as well as the forces of symbolic power, regimentation, and 'natural' adjustment of periphery to centre, and so on.

28 Citations from P. Winch, *Trying to Make Sense*, at 198 (Blackwell, Oxford, 1987); N. Scheman, 'Forms of life: Mapping the rough ground', in: H. Sluga & D.G. Stern (eds.), *The Cambridge Companion to Wittgenstein*, at 394 (Cambridge University Press, Cambridge, 1996).

Non-linguistic communicative interaction and first contacts

The expression 'first contacts' refers to situations in which people with different 'home bases' meet one another for the first time, knowing (next to) nothing about the others' background; in particular they don't speak each others language and don't have access to interpreters. Consider the encounter on the West Coast of what is now called Vancouver Island, when Captain Cook's expedition made contact with the Nuu-chah-nulth people of the village of Yuquot in March 1778,²⁹

'As we were coming [in] we were surrounded by thirty or 40 Canoes full of Indians who expressed much astonishment at seeing the Ship; they stood up in their Canoes, made many strange Motions, sometimes pointing to the shore & at other times speaking to us in a confused Manner very loud & shouting, & presently after they all sung in concert in a wild Manner. We made Signs of Friendship to them and invited them along side the Ship where they soon ventured & behaved in a peaceable manner, offering us their Cloaths & other things they had in their Canoes, and trading immediately commenced between us;

Night coming on they all paddled ashore except five or six Canoes which drew in a Cluster together at a small distance from the Ship, and as it were to bid us a good night the people in them sang in concert in no disagreeable Stile; this Mark of their Attention to us we were unwilling to pass over unnoticed & therefore gave them in return a few tunes on two french Horns after their Song was ended, to these they were very attentive, not a word to be heard among them during the time of playing; this salutation was returned by another Song from the Indians, after which we gave them a Tune on the Drum & Fife to which they paid the same attention as they had done to the Horns.'

Note that not only trading commences at once, but also the exchange of songs and music. Lots of complex communicative interaction is taking place without knowing the other's language. First contacts, as illustrated by the encounter in Nootka Sound, show non-verbal behaviour can be interpreted directly as rational, meaningful, immoral, and so on (by the lights of the interpreter). This is not to say that language is irrelevant. Ascriptions of beliefs and other attitudes starts long before one gets a hold on interpreting particular utterances. One has some understanding of people's actions and

29 J.C. Beaglehole, (ed.) *The Voyage of the Resolution and Adventure 1772-1775*, at 116 (Cambridge University Press, Cambridge, 1969); I discuss the relevance (and danger) of reflection on first contacts in more detail in J. van Brakel, 'First contacts and the common behaviour of human beings', in: *International Studies in Philosophy* (2005), 37, at 107-137.

behaviour long before understanding their language, in part because they are speaking among themselves (or ‘singing in concert’).

What is going on in such first contacts is a lot; *everything* is involved: innumerable interpretations and judgements are made of the other person(s) – long before any word uttered by ‘the Other’ is understood. Broadly speaking, the attitude towards ‘the others’ is as souls, in the sense of Wittgenstein’s enigmatic saying: ‘My attitude [*Einstellung*] towards him is an attitude towards a soul. I am not of the *opinion* that he has a soul.’ The situation is not that I first recognize my common humanity with others and that this recognition then provides the intellectual justification for my response to certain modalities in my dealings with them. On the contrary it is a recognition which is itself a function of those responses.³⁰

By stressing the relevance of looking at first contacts, it is not implied that the interhuman contact will develop well. But it does mean that violence (‘silence’, racism, xenophobia) as well as altruism (‘face’, moral proximity) figure against the background of having a particular attitude towards ‘the other entity’. It even forms the background if there is doubt whether the others are human beings. Examples of Europeans doubting whether the other is human are well documented. But there are examples from the other side as well. For example, two soldiers of one of the many Spanish expeditions shortly after the extermination of Montezuma’s empire by Cortès, lost their way on one of the Caribbean islands and were found by Indians. The latter wondered whether the Spaniards were humans and kept them under water for ten minutes. As they were dead when the Indians got them out of the water, they concluded that the Spaniards were humans indeed.³¹

Even though many fundamental worries can be raised about how accounts of first contacts will be biased and distorted in terms of the dominant form(s) of life in which the event is primarily being recorded and discussed,³² and recorded contacts will rarely if ever be symmetrical, nevertheless ‘first contact’ form(s) of life can serve as ‘life’ heuristics in a way that is missed by accounts that favour imagined scenarios (which seems to be Wittgenstein’s preference), thought experiments (Quine, Davidson), ideal speech situations (Habermas, Benhabib) or shared horizons (Gadamer, Taylor). These other ‘heuristics’, easily promoted to transcendental certainties, have an even greater risk of being ‘chauvinistic’.

30 Wittgenstein, *supra* n. 19, at 152, Winch, *supra* n. 28, at 165.

31 This story may be apogryphal but its plausibility suffices (See B. Diaz del Castillo, *The True History of the Conquest of Mexico*, (Wright, London, 1800, original Spanish edition 1568); also published as *The Discovery and Conquest of Mexico*, (Farrar, Strauss and Cudahy, New York, 1956).

32 For details see Van Brakel, 2005, *supra* n. 29.

Mutual attunement

Any form of human communication, including non-linguistic communication in first contacts and negotiations between highly educated and intelligent representatives of two opposing groups of people, rests on attunement (including contestation) of mutual two-way interpretation of utterances and other overt behaviour (e.g. gesture, facial expression, intonation, silence and so on), while simultaneously ascribing beliefs, motivations, and other attitudes. The interpretation of speech, attribution of beliefs and other attitudes, explanation of behaviour, rationalisation of actions, the relation of beliefs to the world, and so on, are all interdependent. Moreover, as first contacts illustrate, all this already starts at the level of non-linguistic interaction. It is our own secure attunements (those to which we must accede or be declared mad), which we tend to read into the behaviour of others, unless something seems to indicate that it might be a mistake to do so. Conversely 'the other' is equally busy interpreting us by means of her secure attunements, attempting to make intelligible our beliefs and desires, and guess what we are likely to mean (by her lights). Whatever meaning is ascribed to each other's utterances, will emerge from our adjustments to, and contestation and revision of one another's interpretations.

Some sort of structuring principle is needed, being confronted with the holism of having to interpret many things at the same time. One such ordering principle is Davidson's principle of charity which says that the interpreter has to assume that any speaker is 'consistent, a believer of truths, and a lover of the good' *in the majority of cases*.³³ Only relative to the speaker being right, on the whole, makes possible the assumption of ascribing to her or him logical, epistemic, or deontic error, having devious motives, or other despicable features. One can only disagree against a background of agreements. One can only not understand against a vast background of understanding.

Because 'charity' is a rather unfortunate label in a post-colonial context, it will be renamed 'principle of attunement'. Of course the principle is applied 'by our lights', thinking in 'our language', but as the interpretation of the other advances the interpreter also starts to interpret 'by their lights' (as understood by 'our lights' of course). All this applies as much to interpreting the familiar (Other) as the foreign (Other). There is no principled difference between the process of mutual attunement in intra- and intercultural communication.

Because of the holism, there is no fact of the matter to any particular interpretation; communicative interaction 'works', but no 'shared core' of 'universals' is

33 This section is based on Van Brakel 1998, supra n. 10, at § 10.2.5. Mutual attunement is a modified variant of Davidson's thought experiment of radical translation. The citation is from D. Davidson, *Essays on Actions and Events*, at 222 (Clarendon Press, Oxford, 1980).

needed. Every particular interpretation depends on innumerable other interpretations, each of which can be wrong – though many have to be right. There are no basic cases that can be exempted from holism. To act ‘appropriately’ is ‘measured’ relative to the pragmatic success of a very complex process of interaction and does not depend on whether one’s interpretation of the other is right relative to something that is assumed to be shared across all people or languages, not even shared by the participants in a particular communicative situation, not even shared at the level of emotions or gestures.

Locally shared worlds sufficient for objectivity

Consider once more what happened when Cook’s ship arrived at Nootka Sound. In describing what happened at Nootka Sound shared saliences can be pointed to. It is night, there are two groups of people within eye-sight of one another; it is silent and someone starts singing. There is ‘saliency’. There is triangulation. That is to say: there are lines of thought and sight converging to where the ‘singing’ is. There is communicative interaction simply by being there, by moving (parts of) bodies, by making noises, and so on. But for this communicative interaction to make some sense there is no need to share anything in particular (such as the same ‘prototypical’ notion of ‘singing’, or ‘tune’ or ‘silence’, or ‘canoe’, or whatever).

There is a shared local world in which triangulation and attunement and contestation of mutual interpretation is operative. *Both* sides will (have to) assume that the other is having a largely correct picture of the common world – the principle of attunement. But from the retroactive vantage-point of having learnt each other’s language it will transpire that these two ‘largely correct pictures of the common world’ are not the same. There will only be partial and ‘rough’ overlap. Second, there will be a rapid succession of numerous fuzzy triangulations between objects, events, and actors in the local world. There will be some overlap of shared causes and saliences, but there will (almost always) be vast differences in how these causes and saliences are described at the conceptual level (including identification conditions of objects). For example, in retrospect it is plausible to assume that the Nuu-chah-nulth people assumed Cook and his men ‘owned’ the music they were performing.

For both parties there is a local objective truth of ‘world-in-the-making’ not the world-ready-made.³⁴ Relative to the locally shared *Umwelt* there are (partly) shared interests and saliences, but these interests and saliences are not ‘unilaterally’ tied to ‘our native apparatus’ and/or the salient objects and events out there, not even in the ‘most basic cases’.³⁵ What seems to be similar or shared on a particular encounter, should not be understood as some-

34 W. James, *Pragmatism*, at 115 (Hackett, Indianapolis, 1981[1907]).

thing that is biologically or psychologically or transcendently shared by all human beings. What is similar is what human beings would recognise as similar in first or other contacts – a similarity that is, in a way, biologically and transcendently grounded, but the content of this grounding remains tied to the local situation of actual encounters and will usually be (somewhat or rather) different for all involved. What human beings share, is broadly similar responses to a diversity of forms of human life.

First contacts show there can be a shared world with shared objects and events, not only if these objects and events are described very differently, but also if these objects and events *themselves* are taken to be very different in their ‘touch’, so as to make ‘incommensurable’ sentences in *different* languages true. In order for communicative interaction to proceed there is no need to share a language, not even a newly created common language. If communicative interaction is going to work, participants in the endeavour will exploit whatever common ground they can find – a highly dynamic process because learning tends to go very fast in such situations. But different participants will ‘see’ and experience *different* apparent common grounds and in particular will give very different descriptions of the shared world they participate in.

First contacts illustrate that there is no *practical* reason to worry about living in totally incommensurable worlds. However, from this well supported empirical fact it doesn’t follow that there *has* to be a shared core or essence of human behaviours; or a shared *lingua mentis*, or any other preconceptual, cognitive, affective, kinaesthetic, or communicative universal structure. Hence, for example, Nussbaum’s proposals for a common humanity and the existence of associated functions, the realisations of which constitute common marks of the human good, cannot claim universality. Nussbaum’s list of ‘capabilities’ is full of taken for granted ‘local’ value judgements. Even those who are sympathetic to Nussbaum note that ‘our ability to recognise a common humanity is apt to outstrip any list of criteria that theorists are likely to come up with’.³⁶

This doesn’t mean that the word ‘universal’ becomes meaningless, merely that ‘universal’ is not a *universale*, but always tied to a particularised situation which is described in a variety of (clusters of) momentaneous idiolects.

35 For a critique of ‘innate similarity spaces’ and related notions to justify universality in ‘the most basic cases’, see J. van Brakel, ‘Quine and innate similarity spaces’, in: L. Decock & L. Horsten, (eds.), *Quine: Naturalised epistemology, perceptual knowledge and ontology*, Poznan Studies in the Philosophy of the Sciences and the Humanities, vol. 70, at 81-99 (Rodopi, Amsterdam, 2000).

36 S. Wolf, Commentary on Martha C. Nussbaum: *Human Capabilities, Female Human Beings*, in: M.C. Nussbaum & J. Glover (eds.), *Women, Culture, and Development. A Study of Human Capabilities*, at 105-115 (Clarendon Press, Oxford, 1995); See for a recent statement of Nussbaum’s views M.C. Nussbaum, *Women and Human Development: The Capabilities Approach*, (Cambridge University Press, Cambridge, 2000) and for a detailed critique D.A. Crocker, ‘Functioning and capability: The Foundations of Sen’s and Nussbaum’s Development Ethic, part 2’, in: M.C. Nussbaum & J. Glover (eds.), *ibid.*, at 153-198.

Here it helps to keep in mind the title of Cavell's *The Claim of Reason*. How the notion of universality (or that of rationality or morality or justice) is understood can always be contested again. Put differently:³⁷ if there is a ground to use the term 'universal' *with justice*, than this should leave open the possibility that any local concept of universality can be contested by those who did not participate in the formation of that local concept of universality and *mutatis mutandis* for all concepts that claim universality.

No need to speak the same language

Suppose one drops talk of 'shared language', 'fusion of horizons', 'language of perspicuous contrast'. Perhaps it is more 'correct' to promote the slogan 'no need to speak the same language'. We have already seen that first contacts show that to speak the same language is not necessary for communication to take place. Below I will give some examples in support of the suggestion that also for more sophisticated processes of communication the requirement to speak the same language is not necessary, is strictly speaking nonsense, and, more importantly, not an ideal to strive for. From the outset I should stress that the slogan 'no need to speak the same language' is *not* meant to advocate hiring more interpreters and translators – on the contrary.

In the philosophy of language the slogan 'no need to speak the same language' reverberates with statements of Davidson. He says that the question, 'Why does language work?' is almost always answered as follows: because meanings are systematic (i.e. the principle of compositionality), meanings are shared, and they are governed by learned conventions or regularities. Now Davidson makes a simple observation:³⁸ In the case of mistakes or malapropisms and other 'weird' language uses – his example is Mrs Malaprop saying 'this is a nice derangement of epitaphs' –, the speaker expects to be, and is often interpreted as the speaker intended, although the interpreter did not have the correct theory of interpretation in advance; i.e. the empirically best theory that ascribes meanings to the other person's utterances. Davidson suggests that this applies, in principle, to every linguistic interaction. Learned conventions and regularities have (great) pragmatic value, but they are not necessary to interpret the utterances of someone else.

Davidson's conclusion that there is no need to speak the same language (in the sense of using the same conventions), is less dramatic than it may seem. It simply means that in principle, monolingual speakers of English and

37 S. Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality and Tragedy*, (Oxford University Press, Oxford, 1979); J. Butler, 'Universality in culture', in: J. Cohen (ed.), *For Love of Country: Debating the Limits of Patriotism*, at 45-52 (Beacon, Boston, 1996).

38 D. Davidson, 'A nice Derangement of Epitaphs' [1986], in: Davidson 2005, *supra* n. 20 at 89-108.

Chinese could learn to interpret one another without speaking the other's language if they were to share the same *Umwelt* for long enough. What it *does* mean is that there is no principled need for a shared language, as this phrase will normally be understood. In the sense in which language is often understood by linguists and philosophers it does not exist. At best there are passing idiolects or dynamic 'momentary' theories of interpretation. Hence, strictly speaking, except in the most artificially regimented situations, it is never the case that the same language is spoken.

In political philosophy the slogan 'no need to speak the same language', resonates with Tully advocating an intercultural dialogue as one where participants speak their own language, according to customary ways, with their own diverse terms, traditions, aims, and demands. He argues that only a dialogue in which different ways of participating in the dialogue are mutually recognised is just.³⁹ He offers the following example of an intercultural dialogue in which these conditions were met. The 'partnership' constitution of Aoretera-New Zealand, the Waitangi treaty, is written in Maori, the language of the *tangata whenua* (the original inhabitants) and in English, the language of the newcomers. Both texts are authoritative and have distinct traditions of interpretation, with different concepts of history, evidence, argument and government. Tully suggests that such a treaty system is a living practice in which, by great effort, the battle for recognition by arms would be transformed into the conflict of words. Though he says little about what precisely is presupposed in his proposals, how 'global' asymmetries may undermine the 'just dialogue' he strives for, or comments on the aftermath of the Waitangi treaty,⁴⁰ the heuristic aspect of his suggestion should be obvious.

Of course, the ideal of 'No Need To Speak The Same Language' cannot be reached in practice, like any proposal to achieve complete equality of all participants in the process of mutual attunement. But it doesn't mean that the ideal cannot function as a maxim or heuristic with great practical relevance, as I hope the following and last example further illustrates. I should mention that I don't claim historical accuracy for the story that follows. For my argument it is sufficient it could have been the way I tell the story.

Professor Chris Van den Wyngaert (University of Antwerp) was vice-chair of a committee established in 1991 by the Belgian Government to rewrite a number of chapters in the 1808 Code on Criminal Proceedings. She left the committee in 1998, because she fundamentally disagreed with proposals made to the Government on behalf of that committee. There would have

39 See J. Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity*, in particular at 16, 24-6, 35, 39, 52-3, 97, 129, 135, 138 (Cambridge University Press, Cambridge, 1995).

40 On the aftermath see A. Sharp, *Justice and the Māori: The Philosophy and Practice of Māori Claims in New Zealand since the 1970s*, (Oxford University Press, Auckland, 1997).

been nothing special about this, were it not that the major complaint of Professor Van den Wyngaert was that it was impossible to have a sensible discussion in the committee, because many of its members could not read or speak Dutch. Hence for her it made no sense to refer to Dutch publications on the subject. On the 'no need to speak the same language' stance, the ideal speech situation for the committee would be that all participants should speak the language of their choice and each participant should learn to understand the language spoken by the others. Ideally each participant should learn to *understand* the language of the other (as distinct from *speaking* the same language), subject of course to the fundamental uncertainties of any interpretation of language.

Of course in practice legislation should specify which languages are admitted, but this legislation should be inspired by the ideal of no need to speak the same language. By excluding a language, a background of alternative ideas, principles, future possibilities, etcetera is removed from the discussions. Of course the suggestion is not that adoption of this stance would automatically solve all or even any problems – for a start, it will almost always increase practical problems. It is not humanly feasible to require of a judge to understand eleven languages (which would be the first step towards the ideal of no need to speak the same language in South Africa, given current legislation). The point is that from a *theoretical* point of view 'no need to speak the same language' is the right starting point, whatever pragmatic compromises one would be forced to make. Anyway, there are already numerous situations among those of the 'worst kind' where the approximation of two parties each speaking their 'own' language is reasonably possible and might already make a big difference, even if the representatives are in fact representing a heterogeneous reality of people speaking a 'throng of dialects, patois, slangs, and specialised languages.'⁴¹

Concluding remarks

How do the various issues I have discussed hang together?⁴² On the one hand each section discusses one feature of what I propose as necessary conditions for communicative interaction between humans (e.g. the principle of mutual attunement) and/or what is *not* a necessary condition (e.g. a shared language). On the other hand, different themes have somewhat different functions in supporting the conclusion that there is no need to speak the

⁴¹ Deleuze and Guattari 1983, *supra* n. 8, at 7.

⁴² The concluding section has been written in response to questions raised at the conference. In particular I thank Wim Staat and Marc Loth for their time and intellectual energy spent in preparing comments on my paper.

same language (further: NNSSL). The latter follows more or less directly from the de-essentialisation thesis applied to language, as well as a proper understanding of forms of life, the common behaviour of mankind, and the principle of mutual attunement, whereas NNSSL is illustrated by the first contacts, Waitangi treaty and 'Van Weyngaert' cases. The philosophical *argument* for NNSSL mainly depends on the argument I borrow and modify from Davidson, which argument at the same time shows that the distinction between inter- and intracultural communication disappears when one realises that NNSSL. Some of my arguments may *seem* to be exclusively intercultural. However, the argument involves the thesis that there is no principled difference between inter- and intracultural communication; i.e. my argument is about communication period, whether inter- or intracultural. Hence, strictly speaking, the NNSSL-claim applies to both intra- *and* intercultural communication.

NNSSL has no direct bearing on the respectable concern about respecting each other's values, beliefs, identities. The thesis NNSSL is at a more fundamental level. Respecting each other's values or beliefs not only arises if and when communication in the sense of mutual attunement is taking place. Intentions motivating interaction may include a commitment to respecting each other's values and beliefs, but these intentions may also be motivated by pure self-interest, or worse. My account applies to both, as well as to melodramatic cases.⁴³

Empirical real life examples *show* that it is not necessary to speak the same language and philosophical reflection on language shows that there is no such thing as a language, at least not the thing that language is usually assumed to be when one speaks of two people speaking the same language. Claiming to speak the same language and even claiming the in principle possibility of speaking the same or shared language, is a sign of the ideal language syndrome – a mistaken essentialised conception of language as an entity with a fixed lexicon and a fixed grammar, each expression having exactly one sense and one reference. When I use the word language I mean English, Chinese, the latter being understood as de-essentialised entities, subject to what Prof. Glenn describes as the fuzziness or vagueness of the real world and its categories.⁴⁴ It is this sort of language I mean – Dutch, Mandarin, Cantonese, American-English – when saying there is no need to speak the same language. In addition, when I use the word 'language', it includes all aspects of non-linguistic communicative interaction (gestures, facial expressions, intonation, and other signs).

Linguistic communication is 'grounded in' and meshed with non-linguistic communicative interaction. Just as the notion of language is fuzzy and

⁴³ Staat, in this issue at 296 and 302.

⁴⁴ Glenn, in this issue at 229.

vague, so is the notion of meaning. There is no need to share meanings to make possible smooth communicative interaction. This doesn't exclude that we may agree to stipulate shared meanings for pragmatic reasons. But these stipulated meanings are fluid, if only because of the words and grammar used in the stipulation. Meanings are fluid, but not absolutely fluid. They are always vague, flexible and that in ways that are different for different parties (or one might say: for different forms of life).

Loth agrees with the de-essentialisation thesis to a large extent, but argues NNSL is overstating the case. He says that there is a fundamental difference between 'same language' and 'ideal language'.⁴⁵ I don't deny that as a praxis, i.e. working with de-essentialised, fluid meanings, we *can* work on a shared language.⁴⁶ I advocate NNSL as a theoretical notion, not because it is more efficient – it is not – but because it has political and moral consequences. If we aim for a shared language the legitimacy of the language of one of the parties will too easily dominate. How then do we create meanings 'as we go along'?⁴⁷ We don't, at least not in the sense the question suggests. On the NNSL approach what happens is that both parties are busy ascribing meaning to the utterances, attitudes, and actions of the other. This is a matter of interpreting one another subject to the principle of attunement. To the extent that creating meanings is taking place, it is taking place with respect to more than one language (idiolect).

The principle of attunement figures at a meta-theoretical level. The principle isn't shared in the sense that it is not something speakers are usually aware of, let alone consciously apply. However, it is a necessary precondition for any communication between humans taking place, including failed communication and malpractices. When comparing mutual attunement with Davidson's principle of charity, the important word is 'mutual'. Davidson's theory of interpretation has the tendency to reduce the other to an object (which happens to behave and speak somewhat like we do). I want to emphasise that both parties are interpreting the other in interaction. Perhaps one might say that there is fine-tuning of two or more hermeneutic circles, without forgetting of course that attunement, like everything else, has to be de-essentialised; it is not meant to imply that there is a Gadamerian horizon which guides the attunement (or a Heideggerian fine-tuning to Being).

The word 'charity' is less attractive, for similar reasons as when Staat says in connection with the expression 'benevolent interpreter'⁴⁸, that this inter-

45 Loth, in this issue at 290.

46 Loth's reference to Waismann's synthetic notion of identity (note 13) is relevant for an account of pragmatic identity of meaning subject to the criterion of fluent dialogue, smooth conversation.

47 Loth, in this issue at 286.

48 Staat, in this issue at 298.

preter wants to become the mouthpiece for other voices. Charity and benevolence suggest the relation is asymmetrical. Without denying that in practice there are always inequalities, we don't need to emphasise them in the choice of words in a theoretical context. Moreover, ideas such as 'margins of manoeuvre' and 'anti-programs' also have to fit the mutual attunement model. Mutual attunement refers to better understanding one another, but it doesn't include attunement or convergence to the same goal or source.

My two commentators responded rather differently on my use of first contacts (p. 59ff, 65, 69). I am well aware that for some time discussing First Contact case studies have not been considered politically correct. Moreover, the term itself is problematic, as is 'initial encounter', because such terms suggest a meeting on equal terms. But it doesn't follow that *nothing* can be said about them and *nothing* can be learnt from them.⁴⁹ First contacts function primarily as case studies to get a feel for how there can be a common behaviour of human beings without there being any shared core or essence, to show that linguistic and non-linguistic communicative interaction are inseparable, and to have some idea of the mutualness of the principle of mutual attunement. The example of Cook illustrates that communication is taking place even if no language in the ordinary sense is involved, that non-verbal communication is crucial, that many things are interpreted at the same time, that no cognitive universals need to be presupposed, and so on. In addition the Maori and Prof. Van den Wyngaert example illustrate the moral and political relevance of NNSSL.

In an important note to the text Loth's prepared for the conference,⁵⁰ he asks how the proposition that human beings share similar responses to a diversity of forms of human life is compatible with the suggestion that there is no core or essence of human behaviour. It is compatible because 'similar' doesn't mean 'the same'. There are similarities, but no universals, no cores. Different similarities are observed by different groups/individuals (cf. the examples of anger/song, *lhenxa*/green, music making).

That is to say, theoretically, ontologically, there are no cores, but we can agree on pragmatic grounds to, say, use *lhenxa* instead of green and yellow, or *zhèngyi* instead of justice. Such pragmatic decisions are always subject to revision or contestation and will be understood differently in different languages (forms of life). For pragmatic reasons we have to restrict the number of languages or aim to agree on stipulation of shared meanings, but theoretically, ideally, this is *not* the ideal situation.

Let me repeat and stress that on my view there are no linguistic, cognitive, emotional, etc. universals. I admit that there may be a few cultural univer-

49 For arguments in support of this see van Brakel 2005, *supra* n. 29.

50 Loth, in this issue at n. 11.

sals,⁵¹ but these universals are contingent (not genetically fixed for all times and places) and they are not sufficient to support communicative interaction for any length of time. And it remains the case that a rich or 'thick' interpretation and understanding of them is different in different lifeforms. Note, for example, that trading may take place, while both sides may have their own banking system and different reactions in case of undue performance.⁵²

51 It is not easy to give examples that would not give rise to the 'similarities and differences' feature illustrated by the anger/song example.

52 Cf. Loth, in this issue at 288.