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Habermas – Justice and Public Sphere

editors
Andrzej M. Kaniowski
Krzysztof Kędziora

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PREFACE

In June 2019 Jürgen Habermas turned 90. The University of Lodz, particularly the Department of Ethics, honoured Habermas's birthday by organizing the international conference "Celebrating the philosophical and intellectual achievements of Jürgen Habermas. Philosoph und Intellektueller in Zeiten des Umbruchs. Zur Würdigung des Werks von Jürgen Habermas aus Anlass seines 90. Geburtstages." The conference took place in Lodz on 13–14 June 2019. It attracted many scholars from Poland and abroad. Some of the articles in this issue of "Folia Philosophica. Ethica – Aesthetica – Practica" are refinements of the papers presented at the conference.

Unquestionably, Habermas is one of the most important thinkers of our times. His work on communicative rationality and communicative action, *Theory of Communicative Action* (German: *Theorie des kommunikativen Handelns*, 1981) has transformed the social sciences. *Between Facts and Norms* (German: *Faktizität und Geltung*, 1992) has had an enormous impact on legal and political philosophy. Even a sketchy overview of Habermas's work would considerably exceed the boundaries of the preface, so instead of it we would like to mention only his latest book *Auch eine Geschichte der Philosophie*, which may be seen as an illustration showing how close and long-standing are the links of the University of Lodz and its Department of Ethics with Jürgen Habermas and his work: the translation of this book into Polish is already underway. It is being translated by Andrzej M. Kaniowski for the Lodz University Press.

In this issue of our journal, there are two articles about "familial disputes" in which Habermas was engaged: *Does Philosophy Require De-Transcendentalization? Habermas, Apel, and the Role of Transcendentals in Philosophical Discourse and Social-Scientific Explanation* and *Habermas and Rawls on an Epistemic Status of the Principles of Justice*. On the one hand, Anna Michalska's article juxtaposes Apel's insistence on the necessity of transcendental reflection with Habermas's relatively modest position on this matter. Habermas, contrary to Apel, rejects transcendentalism and the idea of final justification and opts for a formal-pragmatic reconstruction of a communicative action. On the other hand, Habermas, as Krzysztof Kędziora's article shows, does not accept Rawls's stripping political justification of philosophical meaning. He emphasizes the role of universally valid principles of justice in the realm of the political. Maciej Hulaś, in his *The Normativity of Habermas's*


Public Sphere from the Vantage Point of its Evolution, describes the transformations of analyses of a public sphere in Habermas's works and explores its normative foundations. Wang Xingfu argues for stronger universalism in the time of the rise of right-wing populism and threat of authoritarianism. "We should reclaim, as he writes, the priority of universal human rights to identity politics, social issues to cultural issues, politics of distribution to politics of recognition". We are closing the issue of our journal with the translation of Florian Rötzer's 1987 interview with Karl-Otto Apel about his project of a transcendental-reflective justification. We have decided to recall it because Apel, who passed away in 2017, was a close friend of Habermas and his fellow philosopher. His philosophy, which he developed in the context of the linguistic turn and American pragmatism, contributed enormously to Kantian tradition. Together with Habermas, he was working on discourse ethics. He visited the Department of Philosophy of University of Lodz in the mid-1990s where he gave a lecture *Sprachliche Bedeutung, Wahrheit und normative Gültigkeit. Die soziale Bindekraft der Rede im Lichte einer transzendentalen Sprachpragmatik* (Linguistic Meaning, Truth and Normative Validity. The socially binding Force in the Light of Transcendental Pragmatics of Language).¹

In the next issue of "Folia Philosophica. Ethica – Aesthetica – Practica" we will continue publication of articles devoted to Jürgen Habermas's philosophy.

Andrzej M. Kaniowski
Krzysztof Kędziora

¹ Karl-Otto Apel, "Sprachliche Bedeutung, Wahrheit und normative Gültigkeit: Die soziale Bindekraft der Rede im lichte einer transzendentalen Sprachpragmatik." *Archivio di filosofia* 55 (1987): 51–88. The translation of this article into polish contains some changes and addenda based on the lecture. Karl-Otto Apel, *Znaczenie językowe, prawdziwość i normatywna prawomocność. Społeczna moc wiążąca mowy w świetle transcendentalnej pragmatyki języka*, tłum. Andrzej M. Kaniowski, w: *Język, dyskurs, społeczeństwo*, red. Lotar Rasiński, Wydawnictwo Naukowe PWN 2009, s. 269–305.

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DOES PHILOSOPHY REQUIRE DE-TRANSCENDENTALIZATION? HABERMAS, APEL, AND THE ROLE OF TRANSCENDENTALS IN PHILOSOPHICAL DISCOURSE AND SOCIAL-SCIENTIFIC EXPLANATION

Abstract

The heritage of transcendental philosophy, and more specifically its viability when it comes to the problematic of the philosophy of social sciences, has been a key point of dissensus between Jürgen Habermas and Karl-Otto Apel. Whereas Apel has explicitly aimed at a transcendental-pragmatic transformation of philosophy, Habermas has consequently insisted that his formal pragmatics, and the theory of communicative action which is erected upon it, radically de-transcendentalizes the subject. In a word, the disagreement concerns whether transcendental entities have any substantial role to play in philosophical discourse and social-scientific explanations. My aim is to reconstruct how Apel establishes a connection between transcendentals, qua the ideal communicative community and the possibility of non-objectifying self-reflection. As I shall demonstrate, the principles that transcendental pragmatics sees as underlying social actions are not to be understood in a strictly judicial way, as “supernorms.” Rather, they should be conceptualized and used as a means for action regulation and mutual action coordination. Against this backdrop, I show that the concept of the ideal community provides the necessary underpinnings for Habermas’ schema of validity claims and the project of reconstructive sciences.

Keywords

citizen participation, urban governance, public space, urban design, public art, urban regeneration, bottom-up processes

1. INTRODUCTION: A FAMILY DISPUTE

The heritage of transcendental philosophy, and more specifically its viability when it comes to the problematic of the philosophy of social sciences, has been one of the major focal points of dissensus between Jürgen Habermas and his fellow traveler, Karl-Otto Apel. Whereas Apel has explicitly sought to establish a transcendental-pragmatic transformation of philosophy, Habermas has insisted that his formal pragmatics, and the theory of communicative action that is erected upon it,¹ radically de-transcendentalizes the subject. In Habermas's view, transcendentalism is inextricably tied to the philosophy of consciousness from which he, ever since the publication of *Erkenntnis und Interesse*,² has been trying to break away.³ Apel, by contrast, has been of the opinion that philosophy can only avoid the pitfalls of monologicality (or methodological solipsism) if transcendentalism is not abandoned and, moreover, is radicalized. In a word, the disagreement concerns whether transcendental entities have any substantial role to play in philosophical discourse and social-scientific explanations.

The divergence between Habermas and Apel can be traced back to the consequences that each of them derives from otherwise shared assumptions. More specifically, both thinkers take it that language (i.e. speech) constitutes a propositional-performative unity, and as such generates its own, intrinsic meta-language, which is related to the first-order language in a self-corrective manner. Apel and Habermas take this two-tier structure of language to be foundational with respect to a special type of "sciences," namely "reconstructive sciences"⁴ or "critical social science."⁵ What they have not been able to agree on is whether the claims laid out by these sciences are universally valid, and hence infallible (or even falsifiable). In the pertinent discussion, Habermas has been more inclined to emphasize the limitations that his formal-pragmatic approach to language imposes upon philosophy. Simply put, Habermas highlights the fact that a second-order discourse cannot be treated as a final instance of appeal for first-order communicative actions. Apel, for his part, has been convinced that

¹ As he himself emphasized, all too often the theory of communicative action is divorced from its formal-pragmatic underpinnings (Jürgen Habermas, "A Reply," in *Communicative Action: Essays on Jürgen Habermas's "The Theory of Communicative Action,"* ed. Axel Honneth and Hans Joas, trans. D. L. Jones (Cambridge, MA: The MIT Press, 1991).

² Jürgen Habermas, *Erkenntnis und Interesse* (Frankfurt am Main: Suhrkamp, 1968); *Knowledge and Human Interests*, trans. Jeremy J. Shapiro (Boston: Beacon Press, 1971).

³ Jürgen Habermas, "What is Universal Pragmatics?," in *On the Pragmatics of Communication*, ed. Maeve Cooke (Cambridge, MA: The MIT Press, 1998), 21–104.

⁴ Jürgen Habermas, "Actions, Speech Acts, Linguistically Mediated Interactions, and Lifeworld," in *On the Pragmatics of Communication*, ed. Maeve Cooke (Cambridge, MA: The MIT Press, 1998), 240.

⁵ Karl-Otto Apel, *Understanding and Explanation*, trans. Georgia Warnke (Cambridge, MA: The MIT Press, 1984).

a critical potential of self-referentiality could ultimately be made to manifest itself in the form of “institutions of metaethics.”⁶ Apel reasons that since we can reflect upon the conditions of possibility for speech (communicative action) that are embedded in it, we can also have discourses about these conditions, which means in turn that we can put the principles as uncovered in the course of formal-pragmatic analysis into the service of action regulation and coordination. What this presupposes is that these principles can act as a general frame of reference for communicative actions, and hence must, on pain of the loss of meaning, be considered as binding for all discourses and social practices.

My secondary goal here is to reconstruct the way in which Apel establishes a connection between transcendentals, *qua* the ideal communicative community and the possibility of non-objectifying self-reflection. As I shall demonstrate, the principles that transcendental pragmatics deems as underlying social actions are not to be understood in a strictly judicial way, that is, as “supernorms.” Rather, they should be conceptualized and utilized as a means for action regulation and mutual action coordination. Apel’s pragmatic version of transcendentalism is predicated on the dialectic between the real and ideal communicative community, and entails that every actor is capable not only of participating in specific, convention-based practices, but also of attending to the way in which different types of engagements (and “interests” associated with them) relate to one another against the background of the general frame of reference (the coordinate system for action), which is what endows social actors with the power to self-regulate in the course of action, thus allowing them to act rationally, ethically, creatively, and responsibly. Against this backdrop, I show that the concept of the ideal community provides the necessary underpinnings for Habermas’s schema of validity claims and the project of reconstructive sciences.

2. THE “RADICAL TRANSCENDENTALIZATION” OF THE SUBJECT: APEL’S CRITICAL APPROPRIATION OF LANGUAGE-GAME THEORY

Apel’s point of departure is the classical philosophical problem, usually referred to as the controversy over *fact* versus *norms* – or, in his own terminology, *explanation* versus *understanding*.⁷ The problem concerns the position of the researcher – or, more generally, of the knower – with respect to the “object” under scrutiny. Critically, according to Apel, there is much more at stake in the controversy than mere methodological questions of the humanities and social sciences: the significance and urgency of the problem stems from the fact that our response to it is decisive when it comes to the shape of the project of modern ethics.

⁶ Karl-Otto Apel, *The Response of Discourse Ethics to the Moral Challenge of the Human Situation as Such and Especially Today. Mercier Lectures, March 1999*. (Leuven: Peeters, 2001).

⁷ Apel, *Understanding and Explanation*.

Apel has developed his own view on the matter by way of a critical appropriation of Wittgenstein's language-game "theory" (LGT). He has shown that, in some important respects, the theory is a continuation of the project of the "radical transcendentalization of the subject" as initiated in the *Tractatus*.⁸ The manner in which Wittgenstein has gone about transcendentalizing the subject is seen by Apel to be a source of both profound insights and pressing difficulties. On the one hand, Apel is in full agreement with the Wittgenstein of *Philosophical Investigations* that a researcher is always-already an agent in the social world. He therefore embraces Wittgenstein's idea that only a firmly transcendentalist position is able to overcome monologicality, and thus to preempt the flooding of philosophical discourse with metaphysical speculation. On the other hand, however, Apel is of the opinion that the postulate of internal (logical) connection between intentions and performances (or means of expression) had led Wittgenstein and his followers to exclude, without proper warrant, the very possibility of an ideal language-game, which in turn had unintentionally given rise to a kind of situationism that entirely rejects the possibility of meta-reference and criticism.

By way of a brief reminder, the idea that came to be known as the Logical Connection Argument (LCA) has it that intentions and reasons cannot be treated as causes in social-scientific explanations because intentions are logically inseparable from actions that they motivate, and hence must be contained in the description of every action to be explained (explanandum).⁹ In Apel's somewhat broadened formulation, LCA states that "the meaning of a goal intention, the meaning of the situation assessment, and the meaning of the action to be explained is an internal, conceptual-analytic, even logical relation."¹⁰ The argument does not so much solve the problem of intentionality as it eliminates the problematic altogether by making the subject and the object immanent to a performance and a form of life that circumscribes it. The cost of this move, however, is rather high.

As Apel points out, LCA is essentially a reformulation of the central thesis of the *Tractatus*, according to which the difference between facts (states of affairs) and acts (the means of expression) is of a transcendental, as opposed to

⁸ Karl-Otto Apel, "Wittgenstein and the Problem of Hermeneutic Understanding," in *Towards a Transformation of Philosophy*, ed. Glyn Adey and David Fisby (Milwaukee: Marquette University Press, 1998), 1–45.

⁹ Ludwig Wittgenstein, *Tractatus Logico-Philosophicus*, trans. C. K. Ogden (London: Kegan Paul, Trench, Trubner & Co. Ltd.; New York: Harcourt, Brace, and Company, Inc., 1922); *Philosophical Investigations*, trans. G. E. M. Anscombe (Oxford: Basil Blackwell, 1958); Charles Landesman, "The New Dualism in the Philosophy of Mind," *Review of Metaphysics* 19, no. 2 (December 1965): 329–345; Georg H. Von Wright, *Explanation and Understanding* (Ithaca, NY: Cornell University Press, 1971); Peter Winch, *The Idea of a Social Science and Its Relation to Philosophy* (London: Routledge, 2003).

¹⁰ Apel, *Understanding and Explanation*, 71.

an ontological, character. As a consequence, Wittgenstein's project as endeavored in the *Tractatus* is afflicted with the problem of belief sentences.¹¹ Belief sentences entail a relative distancing between the subject and the subject matter, in this case, between the subject and his or her own beliefs. Since, however, the complementarity of facts and acts allegedly bars any form of cognitive distancing, transcendentalism of this sort is left with no means by which to express its own tenets. Language-game theory hence forces us to concede that we cannot have a meaningful conversation about that which is actually going on in the course of interactions, which in turn makes social science and ethics non-referential, and thus essentially meaningless and invalid.

The transition from the idea of a universal conceptual structure to a multitude of paradigms (and forms of life) does not eliminate the problem of self-reference. To say that games are what make every discursive engagement possible¹² is to imply that the multiplicity of language-games conceals something universal, something that all games share. Simply put, we come up against the problem of how second-order discourses relate to first-order ones, where the possibility of the former is presupposed by the very concept of a language-game understood as a universal horizon of meaning.¹³

According to LGT, every action which follows certain rules deserves the name of a game, and this entails that we cannot exclude the possibility of an ideal language-game. Now, according to LCA, the conditions of possibility for game-playing (ideal presuppositions) must be fully encapsulated in a pertinent game, and as such they cannot be thematized in an ordinary way, from the "outside." The problem is that, by definition, the ideal language-game refers to other games. Therefore, LGT yields paradoxical results as regards the possibility of an ideal language-game: according to one criterion (i.e. rule-following), an ideal language-game is possible, but according to another (i.e. reference), it is not. Once the possibility of an ideal language-game is rejected, we are left with no criteria allowing us to decide whether or not a given game is admissible. This, in turn, makes an ideal language-game possible as long as it is rule-based. On the other hand, if we were to exclude the ideal language-game on the grounds that it is non-referential, we would have to resort to a meta-position that specifies what being referential essentially means.

Overall, it is important to bear in mind that Wittgenstein's conception of the subject as a limiting concept (of the world or a form of life) can be seen not only as an instrument to preempt metaphysical speculation, but also as an attempt to eliminate the possibility of turning the subject into a subject matter of philosophical analysis, and thus to save subjectivity from objectification. This is

¹¹ Apel, "Wittgenstein and the Problem of Hermeneutic Understanding."

¹² Apel, *Towards a Transformation of Philosophy*, 165–166.

¹³ *Ibid.*, 29–30, 200. Critically, the argument is not that all games presuppose the same horizon of meaning, but that every game presupposes a unique horizon.

what made this conception so attractive among those historians and social scientists who were intent on revealing specificity and integrity of particular cultures, historical epochs, and communities, Winch and Kuhn being the most obvious cases in point. In other words, Wittgensteinians operate from the premise that the threat of objectifying and taking a judgmental attitude towards those under study can only be prevented if we concede that the subject is fully enveloped in a performance and interaction, and hence that their linguistic and non-linguistic actions can only be understood – in terms of both meaning (sense) and reference – by those also involved in the interaction. These good intentions notwithstanding, as soon as the distinction between means and goals is lifted, language-games easily turn into trivial “word games” with no content and relevance whatsoever.¹⁴ If goals and methods cannot be rendered independently of one another, every performance becomes a goal in itself. In that case, there are no goals or purposes, only self-defining utility functions, as AI researchers would dub it.¹⁵

In response to this kind of challenge, Apel accepts the basic premise of LGT, but rejects the conclusion according to which it is impossible for social actors to attend to the conditions of possibility for game-playing and to utilize insights gained in the process to regulate future conduct. While conceding that there is no meaning outside of an action, Apel at the same time points out that second-order discourses are not so much based in a theoretic (third-person) approach to their subject matters as they draw upon an “*in actu*” (engaged) type of reflection, which spans over all possible orientations pertinent to social action. The awareness of the essential interconnectedness between the possible orientations underlies a dialectic of freedom and necessity, and enables actors to act in a rational and coordinated manner.

3. THE IDEAL COMMUNITY AS THE TRANSCENDENTAL SUBJECT AND REFERENT OF THE IDEAL LANGUAGE-GAME

According to Apel, the analysis of language-game theory shows that one of the games – namely, the ideal language-game – stands out from all the rest. The ideal community is the referent of an ideal language-game and signifies all counterfactual components as being always-already present in every interaction taking place in the real community. Put another way, the ideal community is a means by which one extends oneself, so to speak, beyond one’s here-and-now in such a way as to include in one’s self-definition and self-understanding all types of virtual subjects with whom one can interact, as well as possible – pro-

¹⁴ Apel, *Understanding and Explanation*.

¹⁵ Gall calls this a functionalist fallacy: John Gall, *Systemantics: How Systems Work and Especially How They Fail* (New York: Quandangle/The New York Times Books Co., 1975).

spective and retrospective – states of affairs.¹⁶ The ideal community and the real community presuppose each other: whereas the real becomes intelligible only by reference to the ideal, that which is ideal must be able to manifest itself bodily in particular socio-historical conditions. In short, while the real community represents *necessities* associated with pertinent social structures, the ideal community signifies *possibilities* latent in our empirical selves and real communities, and hence the means by which necessities can be negotiated in the course of social exchange. The process is expected to enable a delineation of new trajectories of social action.

In this regard, it is worth noting that although it may not be obvious to us at all times that we partake not only in the real community, but also in the ideal one, the latter nonetheless constitutes a phenomenological category in its own right. The ideal dimension of our interactions is what reveals itself “*in actu*,” or engaged, self-reflection.¹⁷ Absent the faculty to attend to that which underlies the real community, we would not be able to consciously navigate it and, if need be, change it. More precisely, to deny phenomenological accessibility of the ideal community would leave us with two options, both of which are unsatisfactory. We could either accept a deflationary view of transcendental entities,¹⁸ which essentially strips the ideal norms of regulatory force, or otherwise assume that the ideal presuppositions act as external forces with respect to social agents, which in turn implies that these supernatural forces affect social interactions in a purely causal manner.¹⁹

In other words, *in actu* self-reflection is meant to uncover a counterfactual “space” of latent possibilities that are both anticipated in and presupposed by every social involvement. For an action to be meaningful, participants must be engaged in their current situation, but in doing whatever circumstances call for, they are perforce – though not always fully consciously – implicated in unfolding personal, as well as collective, histories that they have to make sense of in order to be able to be genuinely present. According to Apel:

What is remarkable and dialectical about this situation, however, is that, to some extent, the ideal community is presupposed and even counterfactually anticipated in the real one, as a real possibility of the real society, although the person who engages in an argument is aware that (in most cases) the real community, including himself, is far removed from being similar to the ideal community.

¹⁶ Cf. Charles Sanders Peirce, “The Law of Mind,” *The Monist* 2 (1892): 533–259.

¹⁷ Apel, *Understanding and Explanation*.

¹⁸ See Joseph Rouse, *Engaging Science: How to Understand Practices Philosophically* (Ithaca, NY: Cornell University Press, 1996).

¹⁹ For an extended version of this argument, see Stephen P. Turner, *The Social Theory of Practices: Traditions, Tacit Knowledge, Presuppositions* (Cambridge: Polity Press, 1994); *Explaining the Normative* (Cambridge: Polity Press, 2010).

But, by virtue of its transcendental structure, argumentation is left no choice other than to face this both desperate and hopeful situation.²⁰

In his *Understanding and Explanation*, Apel provides a demonstration of how engaged self-awareness should be applied to modulate our understanding of our activities, and hence contribute to self-regulation. As Apel points out, scientific experimentation presupposes, as its conditions of possibility, two principles that mutually define and restrict each other: the freedom of action on the part of the researcher and the lawfulness of nature. To accept one to the exclusion of the other is to commit an “abstractive fallacy,” and hence, to become confused about what one is actually doing. Apel writes:

If we wish to understand an experimental interventionist action as such, we cannot objectify it as an observable nexus of events in the external world. If we could, we would of course again confront the Humean problem, and would be unable to infer a causal necessity from the conjunction of phenomena observed. Nevertheless, from a transcendental-pragmatic perspective, we must assume that precisely this necessity obtains in the objectifiable external world (that is, its meaning constitutes itself in relation to the external world) when we reexecute our own interventionist action or that of others in a reflective, interpretive way.²¹

For example, behaviorism (as a meta-position) fails the test of self-reference, for the interventionist (experimentalist) actions that it undertakes with respect to human subjects presuppose exactly what it implicitly denies those very subjects, namely, a freedom of action and rational insight. In the course of self-reflection, these basic conditions of possibility can be uncovered and used to motivate and guide new inquiries.

We might say that, according to transcendental pragmatics, a proper response to what is directly in front of us is conditional upon an ability to place ourselves *within* a larger scheme of things, which, in turns, makes it possible for different options (interpretations, action-orientations) available to us at a given moment to be disclosed, and subsequently tested. Our basic condition is, then, that of an essential tension, to borrow a phrase from Kuhn,²² between two basic realities which dialectically support each other, but which can never be squared in a manner reminiscent of how a language-game is presumed to fit its pertinent life-form.

²⁰ Apel, *Towards a Transformation of Philosophy*, 281.

²¹ Apel, *Understanding and Explanation*, 60.

²² Thomas Kuhn, *The Essential Tension: Selected Studies in Scientific Tradition and Change* (Chicago: University of Chicago Press, 1977).

4. HABERMAS ON THE METHOD AND PURPOSE OF RECONSTRUCTIVE SCIENCES

The idea behind the project of reconstructive sciences is very straightforward. According to transcendental and formal pragmatics, every social, communicative action is based on certain pragmatic orientations towards the world (subjective, objective, intersubjective), which give rise to so-called validity claims (to expressive sincerity, propositional truth, and normative rightness).²³ Together, these claims produce a three-fold, formal²⁴ frame of reference that can be unveiled and used for action coordination. This is not a top-down approach because instead of being concerned with these claims *in abstracto*, we are focused on how specific communicative actions embody them. Simply put, the self-referentiality of speech means that concrete practices are able to “talk back” to the “formal” rules which have been derived from such practices, as a result of which a spiral of mutually corrective procedures is put into motion.

As Habermas notes, in order for the inquirer to be able to grasp the *intuitive* knowledge of the speaker under study, he must already be in communication with them. As he states in his discussion of Weber’s theory: “such a theory opens up possibilities of learning that are grounded in a developmental logic and that cannot be described in a third-person attitude, but can only be reconstructed in the performative attitude of participants in argumentation.”²⁵

All this means that in embarking on a rational reconstruction, the inquirer must already possess a tacit, pre-theoretical sense of what it means to be a competent speaker, whereas this sort of “knowledge” must be made manifest in one’s own communicative engagement. In other words, for an inquiry to be meaningful in the first place, the inquirer must redeem precisely the same validity claims by which an ordinary speaker – the object of inquiry – is bound. The inquirer does something for which he claims recognition by others, whereby he lays claim to normative rightness. He also intends for his reconstruction to match the reality of whatever is talked about in the communicative situation at hand, and thus he lays claim to propositional truth. And, last but not least, the inquirer wants his formulations to be fitting with respect to the content he wishes to convey – he wants to be understood as realizing a particular communicative intention – whereby he lays claim to expressive sincerity. All these claims being open to scrutiny, a social-scientific investigation can only succeed in a communicative, interactive context.

²³ Habermas, “What is Universal Pragmatics?” Later, he adds a claim to comprehensibility, but I think this is implied in all others claims, and hence redundant. See Jürgen Habermas, *The Theory of Communicative Action*, Vol. 1, trans. Thomas McCarthy (Boston: Beacon Press, 1984).

²⁴ Initially, Habermas referred to these conditions as universal (see “What is Universal Pragmatics?”), but later downgraded them to merely formal properties.

²⁵ Habermas, *The Theory of Communicative Action*, 220.

For Habermas, the ultimate goal (“telos”) of communication is mutual understanding, which in turn allows reciprocal action coordination between participants.²⁶ Simply put, communicative competences cannot be proven or disproven; they can only be improved upon.

5. HABERMAS’S REBUTTAL OF TRANSCENDENTALISM

In clear contrast with Apel, Habermas maintains that this pragmatic logic eliminates the need to postulate incorrigible, *a priori* principles to account for social action, and thereby is able to replace transcendental philosophy. Habermas takes a fairly firm stand against transcendental philosophy already in the essay in which the project of reconstructive sciences was first laid out.²⁷ In the first step of his rebuttal of transcendental philosophy, he provisionally accepts the minimalist interpretation of the transcendental which has prevailed in analytic philosophy,²⁸ on which the transcendental refers to the conceptual structure which makes cognition possible. But even here, he says, the term “transcendental” may be misleading. The reason for this is two-fold.

First, transcendental investigation as set forth by Kant is concerned with the conditions of possibility for, at once, experience *and* objects of (possible) experience,²⁹ which allegedly means that the experience to which Kant refers is objectifying. Now, if transcendental inquiry were so extended as to include the preconditions for communicative actions, the latter would have to be classified as objects, and approached from a third-person, rather than second-person, perspective.³⁰ From a formal-pragmatic perspective, this is patently unacceptable:

The expression “situation of possible mutual understanding” that, from this point of view, would correspond to the expression “object of possible experience,” already shows, however, that acquiring the experiences we have in processes of communication is secondary to the goal of reaching understanding that these processes serve. *The general structures of speech must therefore first be investigated from the perspective of reaching understanding and not from that of experience.*³¹

The second, and related, reservation has to do with the fact that transcendental philosophy carries aprioristic connotations. Hence, “adopting the expression ‘transcendental’ might conceal the break with apriorism that has been made in the meantime.”³² The problem here is that the Kantian framework cannot accommodate the type of investigations required by the weak interpretation of transcendental philosophy:

²⁶ Ibid.

²⁷ Habermas, “What is Universal Pragmatics?,” 39.

²⁸ Ibid., 42ff.

²⁹ Habermas, “What is Universal Pragmatics?”

³⁰ Ibid., 44–45; Habermas, “Actions, Speech Acts,” 240.

³¹ Ibid.

³² Habermas, “What is Universal Pragmatics?,” 45.

Kant had to sharply separate empirical and transcendental analysis. If we now understand transcendental investigation in the sense of a reconstruction of general and unavoidable presuppositions of experiences that can lay claim to objectivity, then there certainly remains a difference between reconstructive and empirical-analytic analysis. Against this, the distinction between drawing on a priori knowledge and drawing on a posteriori knowledge becomes blurred.³³

Simply put, rational reconstructions, being as they are self-referential and self-corrective, do not permit us to draw a demarcation line between a priori (transcendental) and a posteriori (empirical-analytic) types of investigations and claims, let alone to establish the former in a judicial position with respect to the latter. In Habermas's eyes, what follows from this is that the process of uncovering the necessary communicative competences is as fallible as any other endeavor in which standard critical-analytic methods must be put to use: "The procedures employed in constructing and testing hypotheses, in appraising competing reconstructive proposals, in gathering and selecting data, are in many ways like the procedures customarily used in the nomological sciences."³⁴

Overall, Habermas is of the opinion that, in its alleged adherence to the philosophy of consciousness and its reliance on a third-person orientation, transcendental philosophy proves incapable of overcoming the stance of traditional metaphysics. Whereas metaphysical speculation aims to derive the totality of statements about the objective world from a set of basic principles whose validation does not require an empirical proof, transcendental philosophy is a mere mentalistic reaction to this undertaking, and more precisely, an attempt to internalize the conditions of possibility for experience and its objects, which is to say, reduce the objective to the subjective and mental.³⁵

6. FALLIBILISM AND THE FINAL GROUNDING

Habermas's objection to apriorism touches the very heart of his disagreement with Apel. Apel decided to follow Wolfgang Kuhlmann's suggestion that the ideal language-game is grounded in principally different types of *statements* from those upon which first-level discourses are founded.³⁶ As he points out, "these statements can, *as explications of meaning, be corrected under the pre-*

³³ Ibid.

³⁴ Ibid., 46.

³⁵ See also Jürgen Habermas, *Truth and Justification*, ed. Barbara Fultner (Cambridge, MA: The MIT Press, 2003).

³⁶ Karl-Otto Apel, "Normatively Grounding 'Critical Theory' Through Recourse to the Lifeworld? A Transcendental-Pragmatic Attempt to Think with Habermas Against Habermas," in *Philosophical Interventions in the Unfinished Project of Enlightenment*, ed. Axel Honneth, Thomas McCarthy, Claus Offe, and Albrecht Wellmer, trans. William Rehg (Cambridge, MA: The MIT Press, 1992), 125–170.

supposition they are true. But they are infallible precisely insofar as they state necessary presuppositions of the principle of fallibilism.”³⁷ In other words, fallibilism presupposes certain principles of critique that are not themselves falsifiable; to contend that they are would be to undermine the very possibility of a meaningful critique – that is to say, one grounded in validity claims – and as such, to commit a performative contradiction.³⁸

Habermas, in turn, had judged that reconstructive sciences do not hinge on a metalinguistic language-game. In his opinion, to assume otherwise is to overstep the bounds of pragmatics.³⁹ The presuppositions of communication are ideal and universal in the sense that (1) we cannot do without them, and (2) they are never fully redeemable. But since these conditions are pragmatic (action-bound), they cannot be turned into universally valid statements or rules of conduct, for this would presuppose the need for some top-down, doctrine-driven control over actions.

As Habermas observes, the principle of fallibilism is tightly linked with the idea of justification and reason.⁴⁰ That is to say, fallibilism does not amount to mere skepticism, but primarily is a consequence of the fact that regardless of what we do, we always lay claims to validity, and hence are forced to self-validate in the eyes of others. This circumstance testifies to human rationality, but it also entails that the process of intersubjective validation has nowhere to stop and nothing to fall back on. The need for reason is universal, but there is not a single reason that could escape the possibility of being countered by another reason. It is in this sense that the claims of reconstructive sciences must be, in the end, deemed to be fallible. According to Habermas,

This does not strip the validity claim redeemed with the help of these reasons of one iota of its unconditionality. The fallibilist meaning of an argumentational game takes into account only that universal validity claims have to be raised factually – namely, in our respective context, which does not remain stationary, but rather will change.⁴¹

As far as Habermas is concerned, when offering the “final grounding,” Apel commits an abstractive fallacy of a cognitivist type. In Habermas’s assessment, Apel’s conception of the ideal community is “almost too Kantian,” and betrays

³⁷ Apel, “Normatively Grounding ‘Critical Theory,’” 164n9.

³⁸ See also Herbert Schnädelbach, “The Transformation of Critical Theory,” in *Philosophical Interventions in the Unfinished Project of Enlightenment*, ed. Axel Honneth, Thomas McCarthy, Claus Offe, and Albrecht Wellmer, trans. William Rehg (Cambridge, MA: The MIT Press, 1992), 7–22.

³⁹ Habermas, “A Reply.”

⁴⁰ *Ibid.*

⁴¹ *Ibid.*, 232.

the author's adherence to the long overcome Two Realm Doctrine.⁴² Apel's proposal, that is, objectifies what is merely pragmatic with a view to establishing it as a referent of a higher-order discourse, as if attempting to circumvent intersubjective meaning and understanding that can only emerge from within a communicative situation. Habermas hence sees no need to postulate anything reminiscent of the ideal community, and states flatly that ideal suppositions are nothing more than social facts.⁴³ He writes: "The presumption of fallibilism refers solely to the fact that we cannot exclude the possibility of falsification even given convincingly justified theories which are accepted as valid. Otherwise we have not understood what 'to be justified' means."⁴⁴

Note, however, that to say that the principles of communicative action are fallible, or worse, falsifiable, is precisely to succumb to theory-centrism, and hence to commit the very fallacy that Apel has been accused of committing. Habermas's argument concerning the fallibility of validity claims appears to be based on equivocation: fallibility is once understood as criticizability that promotes learning and leads to an improvement in the grasp and application of universal principles, while on other occasions, it is conceptualized in terms of quasi-empirical verification (falsifiability), in the course of which the principles are systematically tested, rejected, and replaced by better ones.

This double meaning of fallibility is the key to Apel's position in this controversy. Transcendental pragmatics has it that while particular philosophical and social-scientific *propositions* are fallible, the fact that each lay a *specific type of claim to validity* is not. Since, in turn, every type of claim presupposes the remaining two, what every actor is committed to is the ideal frame of reference in its totality. On these grounds, Apel contends that Habermas's refusal to concede that his formal conditions for communicative action, which are *de facto* universal, are not transcendental, amounts to a performative contradiction.⁴⁵

As we have stated already, the dialectic between the real and ideal community entails that for the a priori principles *qua* ideal presuppositions to be meaningful, they must be enacted in real-life settings. The claims of the ideal language-game are redeemable in the process of interaction, in the course of which participants validate and correct their specific views on a given subject matter, in exactly the way Habermas proposed. This means that Apel acknowledges that the meaning of the ideal presuppositions changes from

⁴² Ibid., 242.

⁴³ Ibid.

⁴⁴ Ibid., 232.

⁴⁵ Apel, "Normatively Grounding 'Critical Theory'." Interestingly, Habermas advances a similar argument against Robert Brandom's normative pragmatics: Jürgen Habermas, "From Kant to Hegel: On Robert Brandom's Pragmatic Philosophy of Language," in *Truth and Justification*, ed. Barbara Fultner (Cambridge, MA: The MIT Press, 2003), 131–173.

individual to individual, and from culture to culture, and that this form of transcendental understanding is subject to improvement and reinterpretation. What he refuses to concede is that the possibility of different interpretations makes these conditions purely formal, i.e. contentless. Note that the concept of the ideal presuppositions being purely formal presupposes a problematic distinction between synthetic and analytic statements, which Habermas otherwise rejects.

In order to facilitate a proper understanding of the distinction between the fallibility of possible reasons and the infallibility of the presumption of reason, let us briefly examine the manner in which the general (ideal) frame of reference itself can be thematized along transcendental-pragmatic lines.

Transcendental pragmatics implies that we can put the ideal principles of communicative action into service of the positioning of different types of action within the general frame of reference – i.e. along the I–Thou–It coordinate system – and in the context of other actions and practices. Such delineations are error-prone, and thus require scrutiny and intersubjective validation. We may disagree about, for example, exactly how much emotional distancing (third-person orientation) is necessary to ensure effectiveness of a medical procedure, or endeavor to establish the amount of such distancing that is required in the medical as compared to psychotherapeutic context. More generally, a sound discourse can be had about which of the three basic orientations is the best fit in a given context. In virtue of the fact the three basic orientations denote three legitimate, complementary ways of interacting with the world, one is free and encouraged to utilize scientific knowledge and method in these sorts of considerations.⁴⁶

Nonetheless, for the disagreement over such issues to be productive, we must always follow the ultimate principle according to which the general frame of reference should not be violated in the process of intersubjective validation. While all interactions hinge on a changing dynamic of the interplay between the three basic orientations, what is critical for all those involved is that their sense of subjective meaningfulness, their commitment to reciprocity and responsibility, and their sense of reality are, at the end of the day, left intact and preferably are reinforced. The non-violability of the formal frame of reference is a moral principle, arrived at through an engaged self-reflection, which is non-negotiable on pain of performative contradiction. It is in this sense that the complexity of the transcendental subject is a *grounding* principle with respect to the complexity of the lifeworld and communicative action as postulated by Habermas.

On the transcendental-pragmatic model, self-reflection is a process that strives to uncover actors' preunderstandings of themselves, their actions, and the world around them. Though this preunderstanding becomes refined and modified – sometimes deeply – along the way, it remains a necessary precondi-

⁴⁶ Apel, *Understanding and Explanation*.

tion of communicative involvement. Therefore, understanding is not a result of communicative processes in the same way in which explanation is a result of the application of scientific method. By attending to the principles underlying actions and practices, participants inevitably learn something new about themselves, each other, and the interaction itself, which leads to a progressive expansion and differentiation of the general frame of reference. Such processes reinforce actors' awareness with respect to their internal complexity that matches the complexity of the world they inhabit. Put differently, self-regulation in the course of interaction and mutual coordination of action are two sides of the same coin.

Therefore, the ideal language-game, on which transcendental-pragmatic inquiries rely, is no more objectifying than any other language-game; it is simply meant to make the subject more aware of different positions that can be taken as regards an issue at hand, and of how these different orientations can be coordinated and integrated so as to allow a more encompassing frame of reference to emerge. Thus construed, the ideal language-game is aimed at working out new ways of social interaction, just as Habermas thought communication should. Nevertheless, on top of this, transcendental pragmatics entails that self-reflection is a basis for universally valid existential statements about one's fundamental condition as a human being and social actor, which is necessary for each of the social actors to wholeheartedly accept and try to enact. First and foremost, it invites us to acknowledge and embrace our internal complexity and the fact that the striving for the expansion of the general frame of reference is part and parcel of our life-form, of our being *at once* embodied and transcendental subjects.

With regards to the latter assertion, one more misunderstanding must be dispelled. Wellmer, for example, takes Apel to proclaim self-transparency of the subject (*qua* the ideal community), and counters his position along the lines of Derrida, by stating that the ideal communicative situation is redeemable only at the end of human history.⁴⁷ I think it should be clear by now, however, that the dialectic between the ideal and the real undercuts such an eschatological construal. The ideal community is not the same thing as an ideal (perfect) communicative situation. From the transcendental-pragmatic perspective, the end of history can only be conceptualized as a full alignment between the ideal and the real, whereas the human condition is that of irremovable tension between these two realities, which is what fuels learning and progress. The internal tension demands a constant dialogue, accompanied by self-reflection that remains vigilant with respect to possible transgressions of the general frame of reference.

⁴⁷ Albrecht Wellmer, "The Debate about Truth: Pragmatism without Regulative Ideas," in *Pragmatic Turn in Philosophy: Contemporary Engagements between Analytic and Continental Thought*, ed. William Egginton and Michael Sandbothe (Albany: SUNY Press, 2004), 93–114.

7. CONCLUSIONS: WHAT DO WE GET OUT OF THE CONCEPT OF THE IDEAL COMMUNITY?

The ideal community as conceptualized by Apel is neither an unachievable goal, nor a necessary fiction. Primarily, it is a medium through which one can come into contact with virtual subjects, and in the course of such an interaction, make oneself, as well as others, progressively clearer to themselves. From a transcendental-pragmatic perspective, to counterfactually assume the validity of universal norms of communication is not simply to act *as if* our real-life partners were fully rational, but primarily to attempt to formulate mutual expectations based on the potential we all possess as at once real and transcendental subjects, and to hold ourselves and one another accountable for any breaches in this department. In short, the ideal community delineates what we are capable of becoming based on what we have been, rather than simply what we currently are.

Although in his later writings Habermas provides a phenomenological analysis of each of the three worlds,⁴⁸ he nonetheless insists that the formal frame of reference is made up of immutable, if purely formal and essentially contentless, validity claims and associated worlds. A strongly deflationary construal of transcendental entities to which Habermas (explicitly) subscribes entails that these formal conditions cannot be rendered independently of their specific manifestations. In other words, in his rendering, norms are a direct reflection of a given lifeworld, which amounts to a mild version of the logical connection argument. As Habermas's critics were eager to point out, the recommendation to counterfactually assume communicative intent on the part of social actors in fact legitimizes a given social order and all exclusion associated with it.⁴⁹ The concept of the ideal community removes the fallacious idea of a one-to-one correspondence between ideal norms and a particular lifeworld, without severing the connection between them. If we consider the frame of reference ideal in a strong sense of the word, validity claims will have to be conceptualized as open slots to fill in. On that reading, norms *qua* validity claims are not entirely contentless, for they delineate the basic dimensions of

⁴⁸ See Habermas's upgraded account of the three worlds laid out in *Truth and Justification*.

⁴⁹ See, e.g., Michael Kelly, ed., *Power: Recasting the Foucault/Habermas Debate* (Cambridge, MA: The MIT Press, 1994); David Owen, "Foucault, Habermas, and the Claims of Reason," *History of the Human Science* 9, no. 2 (1997): 119–138; Bent Flyvbjerg, "Habermas and Foucault: Thinkers for Civil Society?," *British Journal of Sociology* 49, no. 2 (June 1998): 210–233; Terry K. Alajdem, "Of Truth and Disagreement: Habermas, Foucault and Democratic Discourse," *History of European Ideas* 20, no. 4–6 (January 2002): 909–914. Ejvind Hansen, "The Foucault-Habermas Debate: The Reflexive and Receptive Aspects of Critique," *Telos* 130 (Spring 2005): 63–83; Amy Allen, "Discourse, Power, and Subjectivation: The Foucault/Habermas Debate Reconsidered," *The Philosophical Forum* 40, no. 1 (January 2006): 1–28.

every lifeworld (the ideal community) that are amenable to reflection, and therefore reconstruction. In other words, transcendental pragmatics entails that each of the three basic orientations (subjective, intersubjective, and objective) have certain phenomenological *qualities* that are constant regardless of particular objects and situations to which they apply. While we are always bound by *particular* validity claims, each of the category of claims adds a specific coloring to the objects and situations we are dealing with, allowing us to distinguish between different approaches we can adopt toward the same thing. In this light, meaning is that which emerges at the cross-section of “objects” and our attitudes toward them.

Finding (or failing to find) a balance between these orientations also has distinguishable qualities. We may have a sense that a certain imbalance can be remedied, or we might experience helplessness. All this makes it possible for us to conceive of intersubjective situations in terms of types, as opposed to singularities and natural kinds. As mentioned before, the main requirement which stems from the concept of the ideal community is that every move in one direction (e.g. subjective) must be eventually compensated by proper moves in the other two directions, that is, by adopting intersubjective-dialogical and objective perspectives.

Further, the concept of the ideal community, which loosens the ties between norms and settings to which they apply, enables us to distinguish a fourth category in the validity claims schema that was not explicitly conceded by Habermas. If we look at the schema from the perspective of types of persons or objects – and by the same token, of types of interactions or communicative situations – validity claims signify, the following categorization ensues.

The first category comprises a type of people with whom we, through the process of so-called projective identification,⁵⁰ identify to a considerable degree. It is equivalent to the subjective world in Habermas’s sense. This type of people are those whom we are likely to want to imitate, therefore we can refer to this category as *the realm of aspiration*. For example, when we see people who appear to have what we want, instead of trying to take their place, we can try to learn from them and then to create proper opportunities for ourselves. Defective attitudes along this dimension can result in an unmitigated competitiveness. Another symptom of a disorder on this level is a tendency to compartmentalize the social world into those who possess the same level of competence and achievement as us, and those who are ranked higher and hence pose a threat to be eliminated.

The second category, which we can call the *realm of exchange*, consists of those people whom we deem supportive of and complementary to our own life-

⁵⁰ See, e.g., Phoebe Crame, *Protecting the Self: Defense Mechanisms in Action* (New York: The Guilford Press, 2006).

-form. This category corresponds to Habermas's social or intersubjective world, and represents our ability to recognize others as equal, but distinct. The important caveat is that we will categorize someone as a member of this category only if they appear to have something to offer to us, and, ideally, vice versa.

The third category – *the realm of adaptation* – represents the components of our internal and external environments that are beyond our control, and that force us to adapt. In light of Habermas's categorization, this is the objective world.⁵¹ Disturbances along this dimension manifest as a fear-propelled withdrawal, or, conversely, arrogance and exaggerated forcefulness, an inability to let things be.

The fourth and final category is not, strictly speaking, a category insofar it designates our blind spots, people and things we cannot see or to which we are indifferent. For this reason, it has no equivalent in Habermas's system, which to some extent explains the difficulties his project ran into and the criticism it attracted. In short, the realm of blind spots designates a category of people who are, from our perspective, beyond the sphere of mutual recognition and concern.

Mismanagement of the realm of blind spots results in indifference and ignorance. Hence, this (non-)category is a reminder that there are things that our current perception and understanding do not cover. In other words, this realm alerts us to the fact that there are some things out there that are not yet sufficiently *real* to us. Importantly, it takes conscious effort to realize that it even exists. The challenge here is to actively screen oneself for possible blind spots in order to facilitate proper categorization. In order to turn blind spots into proper categories, we must self-reflect upon the existing patterns of action and perception and try to imagine interactions that are possible, but not yet realized. This form of self-reflection is a way to deal with negative aspects of projection, the so-called splitting.⁵² By identifying and modifying habits of thought, action, and perception in such a way as to incorporate new groups of partners into our frame of reference, we simultaneously enlarge the real and ideal community.

In summary, then, Habermas's validity claims schema implies that rational action requires constant alternating between subjective, intersubjective, and objective orientations toward problems at hand.⁵³ If there is no space between these orientations as such and their manifestations in a particular setting, however, then this process cannot be deemed rational and may be demonstrated to merely reflect current external (socio-political) and internal (motivational)

⁵¹ See Habermas, *Truth and Justification*.

⁵² Crame, *Protecting the Self*.

⁵³ See also Martin Seel, "The Two Meanings of 'Communicative' Rationality: Remarks on Habermas's Critique of a Plural Concept of Reason," in *Communicative Action: Essays on Jürgen Habermas's "The Theory of Communicative Action"*, ed. Axel Honneth and Hans Joas, trans. Jeremy Gaines and D. L. Jones (Cambridge, MA: The MIT Press, 1991), 36–48.


pressures to which actors are exposed and of which social actors may not even be aware. Thereby, the concept of the ideal community, which provides a missing link between current states of affairs and future possibilities, remedies this shortcoming and makes Habermas's validity claims schema workable as a means of bringing about progress.

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HABERMAS AND RAWLS ON AN EPISTEMIC STATUS OF THE PRINCIPLES OF JUSTICE

Abstract

The so-called debate between Jürgen Habermas and John Rawls concentrated mainly on the latter's political liberalism. It dealt with the many aspects of Rawls's philosophical project. In this article, I focus only on one of them, namely the epistemic or cognitivist nature of principles of justice. The first part provides an overview of the debate, while the second part aims to show that Habermas has not misinterpreted Rawls's position. I argue that Habermas rightly considers Rawls's conception of justice as a moral one. In the last part, I discuss two key questions raised by Habermas. The first concerns the relation between justification and acceptance of the principles of justice. The second concerns the relation between two validity terms: truth and reasonableness.

Keywords

Habermas, Rawls, principles of justice, justification, validity

1. OVERVIEW OF THE DEBATE

The debate between Jürgen Habermas and John Rawls began in 1995 on the pages of *The Journal of Philosophy* following the publication of their two main works of political philosophy: Habermas's *Faktizität und Geltung* in 1992 (translated into English in 1996 as *Between Facts and Norms*¹) and Rawls's *Political Liberalism* in 1993. Habermas initiated the exchange with his "Reconciliation Through the Public Use of Reason: Remarks on John Rawls's *Political Liberalism*."² Rawls replied to Habermas with the text "Political

¹ Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: The MIT Press, 1996).

² Jürgen Habermas, "Reconciliation Through the Public Use of Reason: Remarks on John Rawls's *Political Liberalism*," *The Journal of Philosophy* 92, no. 3 (March 1995): 109–131.

Liberalism: Reply to Habermas.”³ These two articles were supplemented by Habermas’s reaction to Rawls’s response which appeared in 1996 as a chapter in the collection of essays *Die Einbeziehung des Anderen. Studien zur politischen Theorie* (translated as *The Inclusion of the Other: Studies in Political Theory*⁴ in 1998) entitled “‘Reasonable’ versus ‘True’, or the Morality of Worldviews.”⁵

Reconciliation is mainly a “constructive and immanent”⁶ critique of Rawls’s philosophical project of *Political Liberalism*, which Habermas still considers to be an instance of a thorough and critical re-evaluation of Kant’s practical philosophy. This means that his critique remains “within the bounds of a familial dispute.”⁷ It consists of three parts. In the first part Habermas questions whether the design of the original position is appropriately constructed to fully express impartial and deontological qualities of principles of justice. In the second part he asks how to understand the requirement that a conception of justice gain acceptance of reasonable comprehensive doctrines. Habermas suggests that Rawls does not clearly distinguish between questions of acceptance and questions of justification. As a consequence of this, Rawls seems to waive a claim to cognitive validity of principles of justice. In the last part Habermas argues that Rawls’s philosophical decisions, mentioned above, result in giving priority to liberal rights over democratic self-determination: “Rawls thereby fails to achieve his goal of bringing the liberties of the moderns into harmony with the liberties of the ancients.”⁸

³ John Rawls, “Political Liberalism: Reply to Habermas,” *The Journal of Philosophy* 92, no. 3 (March 1995): 132–180.

⁴ Jürgen Habermas, *The Inclusion of the Other: Studies in Political Theory*, trans. Ciaran Cronin (Cambridge, MA: The MIT Press, 1998).

⁵ For the context of the debate see: James Gordon Finlayson and Fabian Freyenhagen, “Introduction: The Habermas-Rawls Dispute – Analysis and Reevaluation,” in *Habermas and Rawls: Disputing the Political*, ed. James Gordon Finlayson and Fabian Freyenhagen (New York: Routledge, 2011), 1–21. The introduction also provides an overview of the earlier stages of the debate. It was Habermas who was more engaged in commenting on and polemicizing with John Rawls’s philosophy than *vice versa*. His main focus was naturally on *A Theory of Justice* and the conception of justice as fairness, which he considered as an attempt, similar to his own, to reformulate Kant’s practical philosophy. See also James Gordon Finlayson, *The Habermas-Rawls Debate* (New York: Columbia University Press, 2019), where he elaborates on the aforementioned introduction.

⁶ Habermas, “Reconciliation,” 110.

⁷ *Ibid.* Habermas remarked later that “Reconciliation” had been meant as a review of *Political Liberalism* and he had failed to fully appreciate its significance at that time. He acquired a proper grasp of Rawls’s work “only gradually” and then was able to adequately understand his insistence on the reasonable pluralism. Jürgen Habermas, “Reply to My Critics,” in *Habermas and Rawls: Disputing the Political*, ed. James Gordon Finlayson and Fabian Freyenhagen (New York: Routledge, 2011), 283–284.

⁸ *Ibid.*

As the title of his article indicates, Rawls focuses largely on responding to Habermas's critique without engaging in polemics about Habermas's philosophy. Rawls makes only two remarks on differences between his own conception of justice and Habermas's theory. The first concerns the different standing of their positions. Habermas's theory, claims Rawls, is a "comprehensive doctrine" whereas his own is political.⁹ The second remark concerns the differences between the "devices of representation" they use to conceptualize the moral point of view.¹⁰ The first remarks may explain why Rawls avoids any polemical engagement with Habermas's philosophy. According to him, there is no real rivalry between their positions because they operate at different levels: justice as fairness at a political level; the theory of communicative action, discourse ethics, and so on at a philosophical level.

The subject of the last Habermas article, which marked the end of the debate on account of Rawls's death in 2002, is the relation between "reasonableness" and "truth", and the role they play in justification of principles of justice. Paradoxically, the philosophical questions Rawls tried to avoid in order to secure an agreement on his principles of justice shows how important and inescapable they really are.¹¹ The more we try to suppress them, the more they impose themselves on us. Given that, in my view, the questions of justification of principles of justice and their validity go right to the heart of Rawls's project, I will focus on the peculiarity of his approach to these issues.

2. DID THEY TALK PAST ONE ANOTHER?

Before proceeding, I will address one of the most frequently raised objections, namely that the debate between Habermas and Rawls was misplaced because they were not seeking to establish a common ground and instead worked on the

⁹ Rawls, "Reply," 132. I will not go into detail here. I simply point to Rawls's account of the comprehensive character of Habermas's philosophy because it is crucial for his own philosophical self-understanding. Rawls contrasts his own conception of justice which is limited to the domain of the political and does not enter into philosophical controversies with Habermas's theory whose aims are more ambitious. He wants, Rawls writes, "to give a general account of meaning, reference, and truth or validity both for theoretical reason and for the several forms of practical reason," *Ibid.*, 135. There is no easy answer to the question of whether Habermas's philosophy is comprehensive in Rawls's sense and Rawls's is not. Yet, it is important to note that Rawls defines the comprehensiveness of a doctrine by its engagement in philosophical controversies. His own position is supposed to be free of them. I will return to this later. See: Joseph Heat, "Justice. Transcendental not Metaphysical," in *Habermas and Rawls: Disputing the Political*, ed. James Gordon Finlayson and Fabian Freyenhagen (New York: Routledge, 2011), 117–134.

¹⁰ Rawls, "Reply," 138–142.

¹¹ The crude summary I have given is meant to give only a hint of the complexities of the debate between Habermas and Rawls. Even if, as I mentioned, the death of Rawls ended the exchange between them, it is far from having concluded.

assumptions of their own conceptions. There is some validity to this objection. Indeed, both Habermas and Rawls start from the assumptions of their own conceptions and try to evaluate the position of the other in light of those conceptions. Of course, this does not mean that they were not truly engaged in the debate and only seized the opportunity to expose their ideas. This reliance on the resources of their own theories seems not only natural but also to have a decisive advantage. It enables them to examine the same problems that both of their theories address from different points of view and to express them through different philosophical vocabularies.¹²

The more serious objection is that they misinterpret the other's position because their conceptions have a different "subject matter," or "object domain."¹³ Finlayson claims this misinterpretation goes back to so-called "early debate."¹⁴ Habermas regards Rawls's conception of justice as fairness as a "general moral theory," that is, a theory of right conduct ("justice-qua-morality," as Finlayson calls it). As a consequence of this, he "depoliticizes and moralizes Rawls's theory of justice."¹⁵ However, Rawls's justice as fairness has been, from the beginning, a political conception of justice ("political-cum-legal justice," in Finlayson's terms). Unlike morality, the subject of justice is not all relations between individuals, but rather the basic structure of a society, namely a society's main political and economic institutions.¹⁶ In other words, the principles of justice do not regulate all relations between individuals, but only a subset of them. And they do so indirectly by regulating the institutions which in turn regulate the conduct of individuals. These institutions can *legally* enforce the conformity to their rules so the principles of justice are *ipso facto* political.¹⁷ So, concludes Finlayson, there is no point of comparison between Habermas's discourse ethics and Rawls's justice as fairness because when they use the term "justice," they have two significantly different things in mind.

After *Political Liberalism* and in his own *Between Facts and Norms* and articles, Habermas continues to view Rawls's *justice as fairness* as a Kantian

¹² Finlayson, *The Habermas-Rawls Debate*, 8–9.

¹³ *Ibid.*, 49–50. See also: James Gledhill, "Procedure in Substance and Substance in Procedure. Reframing the Rawls-Habermas Debate," in *Habermas and Rawls: Disputing the Political*, ed. James Gordon Finlayson and Fabian Freyenhagen (New York: Routledge, 2011), 181–182; Christopher McMahon, "Habermas, Rawls and Moral Impartiality," in *Habermas and Rawls*, 201.

¹⁴ He means by "the early debate" Habermas's writings about discourse ethics: *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholsen (Oxford: Polity Press, 1990); *Justification and Application: Remarks on Discourse Ethics*, trans. Ciaran Cronin (Cambridge, MA: The MIT Press, 1993). Discourse ethics was developed by Habermas and appeared in German in the 1980s. I focus only on the alleged "misinterpretation" on the part of Habermas.

¹⁵ Finlayson, *The Habermas-Rawls Debate*, 50.

¹⁶ John Rawls, *A Theory of Justice* (Cambridge, MA: The Belknap Press, 1971), 7–9.

¹⁷ See Finlayson, *The Habermas-Rawls Debate*, 74.

moral conception. It goes without saying that the resources of his discourse theory of law and democracy allow him to state the objections to *justice as fairness* differently than the resources of the discourse ethics did, or, in other words, they allow him to make objections from two angles: discourse ethics and the discourse theory of law and democracy, respectively. So, for example, in terms of discourse ethics, Habermas may claim that Rawls does not correctly conceptualize the moral point of view, while in terms of the discourse theory of law and democracy, he may claim that the conception of justice as fairness neglects the institutional framework of justice. I think Habermas is right here, since there is an ambiguity in Rawls's notion of justice. Rawls's conception of justice, notwithstanding his claims, seems to be more similar in some crucial respects to a moral conception than a political conception in the Habermasian sense, although it aspires to incorporate some functions of law into itself.

To evaluate Habermas's equation between justice and morality, one needs to first look at his distinction between morality and law, and then to see how the notion of justice works in the conception of justice as fairness. Though the distinction between morality and law cannot be easily mapped onto the distinction between "justice-qua-morality" and "political-cum-legal justice," we could try to trace similarities and differences in order to answer the question of whether Rawls's conception of justice is either a moral or a truly political conception.

According to Habermas, both moral and legal norms are "action norms," that is to say, they regulate interpersonal relations and adjudicate between conflicting claims. It is not, therefore, the role they play which differentiates moral from legal norms, but rather the way of achieving this goal. Morality is "only a symbolic system," or "a form of cultural *knowledge*" which means that morality has a weak motivational force, whereas law is not only a symbolic system but "an action system as well."¹⁸ Law, thanks to its formal aspects, overcomes this motivational deficit. Habermas uses Kant's distinction between "will" (*Wille*) and "free choice" (*Willkür*),¹⁹ "action" (*Handlung*) and "incentive" (*Triebfeder*), "duty" (*Pflicht*) and "inclination" (*Neigung*) in order to point to three formal differences between law and morality.²⁰ 1) Law, unlike morality, has to do not with a will but with free choice. Morality deals with a proper way of our self-determination, which, for example, is based on recognition of the universality of binding (moral) law, rather than simply with choices we make. It

¹⁸ Habermas, *Between Facts and Norms*, 107.

¹⁹ The distinction between will and free choice can be understood as the distinction between our legislative faculty, or our ability to give ourselves (moral) laws, and our executive faculty, or capacity for choice. See: Julian Wuerth, *Kant on Mind, Action, and Ethics* (New York: Oxford University Press, 2014), 236–254.

²⁰ Cf. Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (New York: Cambridge University Press, 1991), 45–47 (*Metaphysik der Sitten*, AA, 218–221).

is enough, from the legal point of view, that one *chooses* to obey legal norms. 2) Law regulates “*external relations* of one person to another,”²¹ whereas morality deals mainly with our inner, normatively determined attitudes toward others, and deals only indirectly with external actions toward others. 3) From the perspective of law, it is not necessary that our conformity to legal norms has a specific kind of motivation, for example, our sense of duty. Acting in accordance with the law is enough.²²

Yet, Habermas differs from Kant in one crucial respect. He does not conceive of the relation between morality and law in a hierarchical manner. This means, for Habermas, that law is not morality expressed in legal forms. Legal norms are action norms which are, from the outset, constituted through the form of law. They are not moral norms which are first established independently from their legal shape and then subsequently implemented in a constitution and enforced via legal coercion. Certainly, legal norms should not, or even must not, contradict moral norms, but this compatibility is not tantamount to the derivation of law from morality.²³ Morality and law are independent of each other in terms of their “origins.” We may explain their mutual independence by the different ways of justification of moral and legal norms.

As we know, the general condition of the validity of action norms is expressed by the discourse principle (D):

Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses.²⁴

This principle is so specified that we get two other principles. The first of them is the principle of universalization (U):

A norm is valid when the foreseeable consequences and side effects of its general observance for the interest and value-orientations of *each individual* could be *jointly* accepted by *all* concerned without coercion.²⁵

This principle expresses universality and impartiality which moral norms presuppose. In other words, when we combine the principle (D) with the requirements of universality and impartiality, we get the moral principle (U). On the other hand, when we combine the principle (D) with the “form of law,” i.e. formal aspects of legal norms, we get the democratic principle:

[...] only those statutes may claim legitimacy that can meet with the assent of all citizens in a discursive process of legislation that in turn has been legally constituted.²⁶

²¹ Habermas, *Between Facts and Norms*, 105.

²² *Ibid.*, 105–106, 112.

²³ *Ibid.*, 105–106.

²⁴ *Ibid.*, 107.

²⁵ Habermas, *The Inclusion*, 42.

²⁶ Habermas, *Between Facts and Norms*, 110.

Further elaboration is needed to explain the overall structures of morality and law, but this suffices, I think, to see how these two normative systems differ from one another. We may turn now to Rawls's notion of justice and see whether it is similar to "political-cum-legal justice" or "justice-qua-morality."

In *A Theory of Justice* Rawls regarded the principles of justice as a subset of principles of right. The concept of right with two other concepts of value and moral worth make up the whole of practical reasoning, or, we could say, practical conduct. It does not mean that the principles of justice are derived from the principles of right. Strictly speaking, there are no distinct principles of right which would be analogous to moral principles in Habermas's sense and could be distinguished from principles of (political) justice. "Right" is a general term that covers different kinds of principles. These principles are differentiated according to their domain of application. Some of them are applicable to political and economic institutions at the domestic level (the principles of justice) and at the international level (the law of nations, or the law of peoples), while others are applicable directly to individuals.²⁷ I think the "politicization" of the principles of justice in *Political Liberalism* has not changed anything here. The specificity of the principles of justice both in *A Theory of Justice* and in *Political Liberalism* is a result of their subject, i.e. a society's basic structure, not of their "political-cum-legal" aspect.

If we look at the role of the principles of justice, we will not be able to show their specificity in this way. The role of the principles of justice is to assign "rights and duties in the basic institutions of society" and to "define the appropriate distributions of the benefits and burdens of social cooperation."²⁸ In other words, the task of justice is to regulate interpersonal relationships by assigning rights and duties and to adjudicate between conflicting claims by designing a just scheme of distribution of social goods. The principles of justice, then, are simply general action norms in Habermas's sense.

However, the question remains as to whether the principles of justice are similar to moral norms or legal norms. I think the answer lies in how Rawls conceives of the relation between the principles of justice and legal norms. The principles of justice must be translated into positive law. Rawls envisages in *A Theory of Justice* the four-stage sequence of implementation of the principles of justice into legal institutions. This hierarchy of norms, from the principles of justice through a constitution to particular statutes, presupposes the relation between morality and law that Habermas criticized. The derivation of legitimate law from the principles of justice does not mean that they are the same or the same kind. On the contrary, the principles of justice must differ from the legal norms in which they are embodied. Whereas the justification of the principles of

²⁷ Rawls, *A Theory*, 108–111.

²⁸ *Ibid.*, 4.

justice is based mainly on reasonable and rational considerations behind the veil of ignorance, the translation of justice into law requires us to take into account not only reasonable and rational considerations but also other kinds of reason like ethical (based on some non-political values recognized in a society), pragmatic, and so on. We could say that the justification of principles of justice requires a different kind of discourse than the implementation of them into law.

Furthermore, it is redundant to attribute the predicate “just” to the principles of justice whereas it is appropriate to ask whether laws are just or at least are not unjust. However, while the question of justice of laws is one thing, their legitimacy is another. Laws may be unjust (at least to some extent) and legitimate at the same time. As such, the question of justice of law is different from, albeit related to, the question of the legitimacy of law.

One of the formulations of the principle of legitimacy holds that:

[...] political power is legitimate only when it is exercised in accordance with a constitution (written or unwritten) the essentials of which all citizens, as reasonable and rational, can endorse in light of their common human reason.²⁹

Political power is exercised through law so the question of legitimacy of political power is thus the question of legitimacy of law. A constitution, or its principal elements, is justified on the grounds of the principles of justice. Then laws, which are enacted in accordance with the rules of a just constitution, are legitimate. It is worth noting that a just constitution confers legitimacy on laws. To be sure, laws may be just as well, but their justice results from the fact that they do not contradict the principles of justice, or, in other words, they may inherit their “justice” from the principles of justice indirectly.

Though the aforementioned formulation of the principle of legitimacy does not contain the requirement of discursive process of formation of law in which all citizens partake, Rawls adds the condition of the justifiability of law (through the use of public reason) which this requirement may entail:

Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions – were we to state them as government officials – are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons.³⁰

The idea of public reason specifies what kinds of reasons are appropriate when we discuss “constitutional essentials” and “matters of basic justice.”³¹ These reasons are “expressed in public reasoning by a family of reasonable conceptions of political justice reasonably thought to satisfy the criterion of

²⁹ John Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA: The Belknap Press, 2001), 41.

³⁰ John Rawls, “The Idea of Public Reason Revisited,” in *Political Liberalism: Expanded Edition* (New York: Columbia University Press, 2005), 446.

³¹ *Ibid.*, 442.

reciprocity.”³² So the reasons which are appropriate in this discourse are, for the most part, determined by reasonable political conceptions of justice. The other kinds of reasons may be appropriate for other justifying discourses. Anyway, this shows that Rawls’s principle of legitimacy is analogous to Habermas’s democratic principle whereas Rawls’s way of justifying the principles of justice, *via* the original position, resembles Habermas’s principle of universalization. Thus, Rawls’s principles of justice are a kind of moral principles. Habermas’s objection – namely that Rawls moralizes justice – seems to be well-founded. As Habermas would say, the principles of justice lack the form of law to count as principles of *political* justice.

To sum up, I have argued that Rawls’s conception of justice is not political, at least in Habermas’s sense, but rather moral. The subject of justice, which is the basic structure of society, does not settle the question. Political justice, as we could say by analogy with law, is differentiated by its legal form. And this does not mean the necessity of implementation of justice into law but the conceptualization of justice through the form of law from the outset. In other words, we could say that Rawls’s conception of justice is political in the wrong way.

3. AN EPISTEMIC ASPECT OF THE PRINCIPLES OF JUSTICE

Habermas regards Rawls’s conception of justice as Kantian moral doctrine. If it is so, as I have tried to show, then the principles of justice must share with moral norms “deontological, cognitivistic, formalist, and universalistic qualities.”³³ In his debate with Rawls, Habermas discusses all of these qualities. He argues that Rawls does not fully articulate the meaning of these qualities. I will focus on one of them, namely a cognitivistic aspect of principles of justice. This deals with two questions posed by Habermas:

³² Ibid. The criterion of reciprocity is directly connected with the principle of legitimacy and the idea of public reason. It holds that when citizens view “one another as free and equal in a system of social cooperation over generations, they are prepared to offer one another fair terms of cooperation according to what they consider the most reasonable conception of political justice” (Ibid., 446). I will not pursue this in depth here, but I want only to suggest that reciprocity is a part of the idea of reasonableness and that reasonableness itself determines our proper attitude to others. We should treat others in a way that we can justify to them. As we have seen, morality deals with one’s attitudes toward others. Compare what Rawls says about the moral duty of civility: Rawls, *Political Liberalism*, 217; Rawls, “The Idea of Public Reason Revisited,” 444–445.

³³ Rainer Forst, “Discourse Ethics,” in *The Habermas Handbook*, ed. Hauke Brunkhorst et al. (New York: Columbia University Press, 2018), 538; Habermas, *Moral Consciousness*, 196.

I shall examine whether the overlapping consensus, on which the theory of justice depends, plays a cognitive or merely instrumental role: whether it primarily contributes to the further justification of the theory or whether it serves, in light of the prior justification of the theory, to explicate a necessary condition of social stability (1). Connected with this is the question of the sense in which Rawls uses the predicate “reasonable”: as a predicate for the validity of moral judgments or for the reflective attitude of enlightened tolerance (2).³⁴

In order to understand the gist of Habermas’s argument, we need to provide a general overview of Rawls’s “political turn.”³⁵ Rawls faced the problem of a pluralism of irreconcilable doctrines (“comprehensive doctrines”) which are affirmed by citizens in a democratic and liberal society. Some of these comprehensive doctrines are entirely reasonable, i.e. their pluralism is “the inevitable long-run result of the powers of human reason at work within the background of enduring free institutions.”³⁶ In other words, citizens disagree over many matters of fundamental importance and this disagreement is fully compatible with human reason. The conception of justice, then, cannot be grounded on something so controversial. An analogy with the Reformation may be helpful here. When people shared the same religion, a political order could be based on it. When the unity of religion disintegrated into particular confessions, the common ground of a political order disappeared. Then the idea of religious tolerance began to form gradually. This was, without doubt, a painful process but its upshot was the acceptance of religious diversity, i.e. recognition of other confessions as reasonable. The other side of religious tolerance was a conviction that political community could not be organized around one religion. The foundation of unity had to be sought elsewhere. Religion began to be perceived as lying outside the domain of the political, though not necessarily in the private sphere.

Rawls generalizes the idea of religious tolerance. It is not only religion that divides us nowadays, but also other kinds of beliefs, for example concerning moral ideals, the good life, and philosophical problems. We should apply the idea of tolerance to those beliefs and recognize them as reasonable but, at the same time, exclude them from the domain of the political. They are no longer suitable for the organization of the political community. Once again, we need to look elsewhere for the common ground. Rawls locates it in some political ideas like the idea of a society as a fair system of cooperation or the idea of the person (or citizen) as free and equal with two moral powers: the capacity for a sense of justice and the capacity for a conception of the good. Rawls thinks it is possible

³⁴ Habermas, “Reconciliation,” 119.

³⁵ Paul Weithman, *Why Political Liberalism? On John Rawls’s Political Turn* (New York: Oxford University Press, 2010) gives an excellent account of Rawls’s “political turn.”

³⁶ Rawls, *Political Liberalism*, 4.

to build the conception of justice solely out of these ideas.³⁷ This is the meaning of the term “freestanding.” In short, it means that the conception of justice is justified only in terms of political ideas in conjunction with principles of practical reason. Furthermore, “it is neither presented as, nor as derived from,”³⁸ any comprehensive doctrines. It must be shown, however, in the next step that the conception of justice may gain acceptance of such comprehensive doctrines, i.e. it must become a subject of an overlapping consensus of comprehensive doctrines. This raises a question as to whether this acceptance is a requirement of social stability or adds something to the justification of the principles of justice.

In his *Reply* Rawls attempts to dispel these doubts. He introduces the three kinds of justification:

[...] first, *pro tanto* justification of the political conception; second, full justification of that conception by an individual person in society; and, finally, public justification of the political conception by political society.³⁹

In introducing these three kinds of justification, the aim is to show how the question of justification and the question of social stability are interconnected. The *pro tanto* justification corresponds to the freestanding justification of the conception of justice in terms of political ideas. Whereas the conception of justice is *pro tanto* justified from inside the domain of the political, the full justification is “carried out by an individual citizen as a member of civil society,”⁴⁰ i.e. from the perspective of a particular comprehensive doctrine.⁴¹ To carry out the public justification, we need to return to the point of view of the political conception of justice. The justifying reason here is the fact that all citizens have carried out the full justification. In other words, the fact that the overlapping consensus of reasonable comprehensive doctrines obtains is an argument in favor of the political conception of justice.

There is no justification of the principles of justice without the fact of the overlapping consensus as this fact is a decisive reason for them. The acceptance

³⁷ The epistemic status of these ideas is controversial. Rawls claims that these ideas are “implicit in the public culture of a democratic society” (Ibid., 15), which invites the contextualist interpretation of Rawls’s political turn *à la* Rorty. See: Richard Rorty, “The Priority of Democracy to Philosophy,” in *Objectivity, Relativism, and Truth: Philosophical Papers* (New York: Cambridge University Press, 1991), 175–196. I will leave this aside, though I agree with Habermas that Rawls does something more than simply articulate shared cultural beliefs. See: Habermas, “Reconciliation,” 119–120.

³⁸ Rawls, *Political Liberalism*, 12.

³⁹ Rawls, “Reply,” 142. I use interchangeably the terms “the justification of the (political) conception of justice” and “the justification of the principles of justice.”

⁴⁰ Ibid., 143.

⁴¹ It is not clear how the shift between these two points of view occurs. It seems that we do not have access to a comprehensive doctrine other than from the outside. If so, then we do not have the possibility to ascertain whether the justification really has taken place or whether it has failed.

of the political conception by reasonable comprehensive doctrines, however, is not the same thing as its justification.⁴² The first and third kinds of justification, I think, can be easily explained within the political conception of justice. The novelty of the second kind of justification causes some complications, which Habermas identifies as “a peculiar dependence of the ‘reasonable’ on the ‘true’”⁴³:

Practical reason is robbed of its moral core and is deflated to a reasonableness that becomes dependent on moral truths justified otherwise. The moral validity of conceptions of justice is now no longer grounded in a universally binding practical reason but in the lucky convergence of reasonable worldviews whose moral components overlap to a sufficient degree.⁴⁴

To unpack Habermas’s criticism, we need first to look at Rawls’s method of avoidance. This will help us to understand the shifting of the burden of justification from political conceptions of justice to comprehensive doctrines. The method of avoidance is a crucial element of Rawls’s political liberalism. Adopting this method means that “we try, so far as we can, neither to assert nor to deny any religious, philosophical, or moral views, or their associated philosophical accounts of truth and the status of values.”⁴⁵ It does not mean that the conception of justice does not presuppose philosophy at all. Rawls admits that some philosophy “is implied by the political itself”⁴⁶ but its assumptions are so uncontroversial and weak that it “leaves philosophy as it is.”⁴⁷ In other words, Rawls wants to secure acceptance of his conception of justice, so he needs to remove the sources of disagreement and not to engage in philosophical disputes. He then lays out the conception of justice as freestanding, which implies, as I have just said, some kind of epistemology and metaphysics, but also avoids long-standing philosophical controversies. However, Rawls would not agree with Rorty who claims we would fare much better without philosophy. Philosophy is necessary⁴⁸ but at the same time it is the source of disagreement. The truly demanding tasks of philosophy, like showing the truth of the

⁴² See Anthony Simon Laden, “The Justice of Justification,” in *Habermas and Rawls: Disputing the Political*, ed. James Gordon Finlayson and Fabian Freyenhagen (New York: Routledge, 2011), 142–152. There he tries to show how Rawls combines a political justification with a philosophical one. In other words, he argues that Rawls perceives justification in practical terms, i.e. its aim is not only to show the validity of the principles of justice, but also to provide a basis for an agreement between citizens.

⁴³ Habermas, *The Inclusion*, 77.

⁴⁴ *Ibid.*, 82–83.

⁴⁵ John Rawls, “The Idea of an Overlapping Consensus,” in *Collected Papers*, ed. Samuel Freeman (Cambridge, MA: Harvard University Press, 1999), 434.

⁴⁶ Rawls, *Political Liberalism*, 10. See Finlayson, *The Habermas-Rawls Debate*, 125.

⁴⁷ Rawls, “Reply,” 134.

⁴⁸ It is necessary because it responds to our need of justification of our actions, decisions and so on to others. See note 32.

conception of justice, are shifted to comprehensive doctrines. It seems to me, then, that the term “method of relegation” would better describe what Rawls really does than his own preferred term, namely “method of avoidance”. This also explains the meaning of the phrase “*pro tanto* justification.” It is a kind of incomplete justification which needs further elaboration, namely the full justification, which can be carried out from within comprehensive doctrines.

The nature of the full justification may be clarified by referring to the distinction between two kinds of validity terms: reasonableness and truth. The former refers mainly to the political conception of justice, while the latter is restricted to comprehensive doctrines. The political conception of justice is reasonable if it is *pro tanto* justified, i.e. it is the result of properly used procedure of construction (it would be chosen in the original position), and it is in political reflective equilibrium. It is worth noting that this kind of justification is public in the sense that Habermas has in mind. It is based on reasons which are shared by all reasonable and rational persons.⁴⁹ Comprehensive doctrines may (not) use the term “true” to predicate validity of normative statements. It is up to a particular comprehensive doctrine how to define “truth” in every case. Truth is thus not public in Habermas’s sense and reasons we regard as true, and what we believe to be true, may not be the same for every reasonable and rational person.

The terms “reasonable” and “true” are complementary in the sense that the conception of justice, which is reasonable, may be also true. The question is whether we need two validity terms and whether we are able to properly conceptualize the differences between them. For Rawls, it seems, the term “true” is stronger than term “reasonable” as we need the second kind of justification in order to go through the whole process of justification. This, however, turns the idea of justification upside down. Justification should be based on reasons which are public in Habermas’s sense. If we agree on the content of some propositions, but we do so for different reasons, we cannot be certain that our agreement is not superficial and that justification is not illusionary. The principles of justice may change their meaning within different contexts provided by comprehensive doctrines. If we take the principles of justice out of one context and put them into a different one, we may slightly (or radically) change their meaning. Think of, for example, the two principles of justice of Rawls’s conception of justice fully justified and endorsed by a Millian liberal comprehensive doctrine on the one hand, and by Catholic doctrine on the other. If it comes to an application of the principles of justice to solving some problems, for example an abortion, it

⁴⁹ The term “reasonable” is so ambiguous and applied to so many subjects (a person/citizen, a society, a doctrine, principles of justice, constraints on choosing principles of justice in the original positions, pluralism, and so on) that its different meanings appear to lead to a vicious circle. See James W. Boettcher, “What is Reasonableness?,” *Philosophy & Social Criticism* 30, no. 5–6 (2004): 597–621.

may turn out that we are not able to reach any agreement on proposed solutions because our interpretations of the principles of justice differ so much.⁵⁰

In order to overcome this difficulty, one may need to work out and justify the conception of justice in terms of public, accessible to all person reasons, and not in a monological but in a dialogical way.⁵¹ This conforms to the requirements of moral discourse in which we try to settle the questions of justice. These requirements may be satisfied by *pro tanto* or freestanding justification with the original position, the veil of ignorance, and so on, if that kind of justification were sufficiently enriched or reinterpreted. This, however, raises a question: why do we need the full justification at all? From the point of view of Rawls's political liberalism, the answer seems to be obvious. We need the second kind of justification in order to ensure that the overlapping consensus obtains. But this presupposes that comprehensive doctrines, if they are reasonable, must remain intact. The political conception of justice must not intervene with reasonable comprehensive doctrines and must leave them as they are. As I have argued, this turns the idea of justification upside down.

We may turn to the last question posed by Habermas: what is "the sense in which Rawls uses the predicate 'reasonable': as a predicate for the validity of moral judgments or for the reflective attitude of enlightened tolerance"?⁵² The short answer is: both. I leave aside the second alternative, which is explained by reasonableness understood as a part of the moral nature of persons, and focus only the validity meaning of the term of "reasonable." As I have said, Rawls uses two validity terms: "reasonable" and "true". Even if it can be said that Rawls understands the validity of moral judgments in terms of their justifiability, he appears to accept many ways of justification, for example moral realist, intuitionist, Kantian constructivism. These different kinds of justification aim at truth whereas his own political constructivism, namely freestanding justification, aims at reasonableness. The kinds of justification, which aim at truth, are incommensurable. By contrast, the freestanding justification may be reconciled with them. From this Rawls seems to draw a conclusion that "reasonable" and "true" operate at different levels.

⁵⁰ Rawls might claim that these differences in the interpretation of the principles of justice can be accommodated into the reasonable and explained by the burdens of judgment. He admits that there is more than one political conception of justice. There is "a family of political conceptions of justice" (*Political Liberalism*, xlvii–xlviii, 450). I think the source of the pluralism of these political conceptions of justice lies in a different way of organizing fundamental ideas at the level of a political construction of principles (Ibid.). I have something different in mind, namely the differences in the interpretation of the principles of justice already identified at the level of the construction. These differences arise from within comprehensive doctrines.

⁵¹ Habermas, *The Inclusion*, 86–94.

⁵² Habermas, "Reconciliation," 119.

As we have seen, Habermas unambiguously identifies the validity of moral judgments with their justifiability. Unlike Rawls, however, he does not accept substantially differentiated ways of justification,⁵³ but only lays down the formal condition that if a moral judgment is to be valid, it must be justifiable. The process of justification must be actually carried out in an adequate discourse. In the case of principles of justice, it is a discourse governed by the principle (U). There is no place for different discourses for the same subject matter, i.e. the principles of justice. Therefore, in Habermas's view, the distinction between two validity terms, both of which pertain to principles of justice, seems to be incomprehensible because there is no need to introduce two different kinds of validity terms for the same kind of judgments.

4. CONCLUSION

Remarking on the debate between Habermas and Rawls, Joseph Heat complains that much of it became "sidetracked," lapsing into "a relatively fruitless debate over the relationship between 'reasonableness' and 'truth'."⁵⁴ I cannot agree. The discussion about cognitivist aspects of the principles of justice is far from fruitless because it concerns a proper way of doing political philosophy under the condition of pluralism. Both Habermas and Rawls want to remain faithful to the Kantian notion of practical philosophy, but they differ in how to realize it. Habermas wants us to put the pluralism of worldviews through formal procedures of discourse in order to arrive at the jointly worked out we-perspective. Rawls leaves, within bounds of the reasonable, the pluralism as it is and seeks the common perspective elsewhere.

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⁵³ This is so because Rawls thinks that Habermas's theory is comprehensive. Rawls, "Reply," 132, 135.

⁵⁴ Heat, "Justice," 117.

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THE NORMATIVITY OF HABERMAS'S PUBLIC SPHERE FROM THE VANTAGE POINT OF ITS EVOLUTION

Abstract

The paper argues that the original normativity that provides the basis for Habermas's model of the public sphere remains untouched at its core, despite having undergone some corrective alterations since the time of its first unveiling in the 1960s. This normative core is derived from two individual claims, historically articulated in the eighteenth-century's "golden age" of reason and liberty as both sacred and self-evident: (1) the individual right to an unrestrained disposal of one's private property; and (2) the individual right to formulate one's opinion in the course of public debate. Habermas perceives the public sphere anchored to these two fundamental freedoms/rights as an arena of interactive opinion exchange with the capacity to solidly and reliably generate sound reason and public rationality. Despite its historical and cultural attachments to the bourgeois culture as its classical setting, Habermas's model of the public sphere, due to its universal normativity, maintains its unique character, even if it has been thoroughly reformulated by social theories that run contrary to his original vision of the lifeworld, organized and ruled by autonomous rational individuals.

Keywords

Habermas, public sphere, normativity, civil society, modernity, practical interests

The aim of this paper is to explore the normative foundations of Habermas's public sphere in the context of the vicissitudes they have undergone. The following study is based on a fundamental presupposition, namely that the revisions and corrective alterations that Habermas has introduced throughout the decades into his original concept of the public sphere have not substantially changed the normative foundation of this idea, which remains untouched at its core. Both the initial unveiling of the notion of the public sphere in the early 1960s and the later amendments up to the final one made in the 1990s have invariably drawn on the same cluster of normative resources, which are the individual and

universal freedoms of a human being, protected by corresponding negative defensive rights.¹ Habermas sets his concept of the public sphere in universal freedoms and negative rights.² He is profoundly convinced of their capacity to solidly and reliably generate sound reason and public rationality, regardless of time and circumstances.

The mobilization of ordinary people who had formed the first political public sphere as a grassroots counter-move against the absolutist power, appeared to be a natural self-protective reaction against the official regulation of intellectual, moralistic and critical newspapers that served as milieus of unhindered debate of ordinary people, it was also a nonconformist response of to a state interfering into the individual freedom of labor and commodity exchange. This kind of mobilization would not be possible without critical self-awareness developed previously in debates on culture in the intellectually oriented *literary* public sphere and without analogous belief in being a collective prime mover – this very belief bolstered up the authority of critical argument. In such a joint union that amalgamates the natural determination and capacity to defend fundamental freedoms (unrestricted ruling over one's own property) with the ordinary people's belief in being a collective prime mover, the originality of Habermas's stance is detectable – he creates a link between them two and joins into one (a) the demands for fundamental freedom/negative defensive rights (self-sufficiency) and (b) the capacity for enduring self-determination (self-rule). In this original combination he goes beyond the traditional dichotomy of liberalism vs republicanism and this dialectical relationship is noticeable in his co-originality thesis of private and public autonomy.

(1) To analyze the normative layers of Habermas's public sphere with a view to proving its immutability, we need to first outline the specific historical context in which he forged his concept of the public sphere, viewed in social theory thereafter as paradigmatic and an ideal one. We need also to trace the journey that his concept of the public sphere has been one from its first appearance in a form of an early liberal, historical and critical account in the early 1960s, to the most recent unveiling in the 1990s as a component of a democratic state, expounded in a concise systematic language with reference to other invariants which altogether comprise Habermas's unique notion of democracy. (2) The journey in question commences with the scrutiny of the bourgeois public sphere, delineated in his habilitation thesis *Strukturwandel der*

¹ Robert Alexy, *A Theory of Constitutional Rights* (Oxford: Oxford University Press, [1986] 2010), 167.

² “The bourgeois public sphere could be understood as the sphere of private individuals assembled into a public body, which almost immediately laid claim to the officially regulated “intellectual newspapers” for use against the public authority itself. In those newspapers, and in moralistic and critical journals, they debated that public authority on the general rules of social intercourse in their fundamentally privatized yet publically relevant sphere of labor and commodity exchange”. Jürgen Habermas, “The Public Sphere. An Encyclopedia Article (1964)”, transl. Sara Lennox and Frank Lennox, *New German Critique*, no. 3 (Autumn 1974): 52.

Öffentlichkeit (1962). (3) Soon after its publication, it turned out that the hermeneutical key that unlocks an insight into the very logic of the bourgeois public sphere was to be found elsewhere, in his original thesis on the interdependence between knowledge and human interests, described in *Erkenntnis und Interesse* (1965/1968). In dealing with the normativity of the public sphere, we need to identify those sections of *Erkenntnis und Interesse* that converge with the fundamental premises of the public sphere from *Strukturwandel der Öffentlichkeit*. (4) The first significant indication of the future revisions to Habermas's concept of the public sphere are to be found in his work on the systemic crises in advanced capitalism *Legitimationsprobleme im Spätkapitalismus* (1973). We need to establish the degree to which the fundamental criteria and premises of his original model can be met and realized in a democratic state of advanced capitalism. (5) To grasp the moment in which the original concept of Habermas's public sphere began to drift away from its first historical-critical account and towards the aforementioned systematic, jurisprudential and state-democracy oriented explanations, requires touching upon the specificity of the lifeworld organized and ruled by the partial systems within a total social system, as portrayed in *Rekonstruktion des historischen Materialismus* (1976). (6) In its final stage, Habermas's model of the public sphere appears as the highest authority over decision-making processes in a constitutional democratic state. We need to identify, then, those areas of civil society (*Zivilgesellschaft*) which maintain the normativity of its initial exposition.

1. RECASTING THE IDEOLOGICAL IMPASSE AROUND THE PUBLIC SPHERE

The terms “public sphere” – as a communication arena accessible to all – and “public opinion” – as a common view of people that together constitute a collective singulative³ such as nation or civil society – have been a mainstay of modern social theory. However, it was Habermas who first managed to conceptualize them both. Unlike Lippmann,⁴ Dewey,⁵ Schmitt,⁶ Heidegger,⁷ Koselleck⁸

³ Shmuel Noah Eisenstadt, “Multiple Modernities,” *Daedalus* 129, no. 1 (2000): 8.

⁴ Walter Lippmann, *The Phantom Public. The Sequel to „Public Opinion”* (New York: The Macmillan Company, 1930), 39.

⁵ John Dewey, *The Public and Its Problems*, in *The Later Works, 1925–1953*, Vol. 2: 1925–1927, ed. J. A. Boydston, B. W. Walsh Introduction J. Gouinlock (Carbondale & Edwardsville: Southern Illinois University Press, [1927] 1988), 277.

⁶ Carl Schmitt, *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (Berlin: Duncker und Humboldt, [1923] 1961), 29.

⁷ Martin Heidegger, *Sein und Zeit*, (Tübingen: Max Niemeyer Verlag, [1926] 1967), 167-170.

⁸ Reinhart Koselleck, *Kritik und Krise. Eine Studie zur Pathogenese der bürgerlichen Welt* (Freiburg/München: Suhrkamp [1959] 1973), 93-103.

and Arendt,⁹ Habermas neither perceives nor treats either term as mere variables that are useful for diagnosing civil society's awareness in participating in political decision-making; for demonstrating the decomposition of critical rationality; for pointing to failures in the functioning of state institutions that are supposed to be democratic; or for measuring the human condition, etc. Instead he explores the topics of the public sphere and public opinion through their historicity, normativity, and functionality in the changing conditions of society, the economy, and the state. The academic consensus¹⁰ regarding his early works on the public sphere¹¹ validates the unprecedented character of Habermas's conceptualization of the public sphere and public opinion, which helped him to recast the prevailing pessimism of the debate that had developed over decades and affected how they were perceived up to the 1960s. This pessimism was a product of the masses' increased accessibility to the public sphere that emerged in the nineteenth century.¹² As a result of this enhanced accessibility, the sublime public rationality – reflected in the Kantian imperative that prompts to utter publicly what one may think of as fragments of universal truth unknown to the rest – began to lose its emancipatory distinctiveness and became associated with the will of the masses which was more susceptible to manipulation and less likely to be the repository of rational and critical judgments. In his concept of the public sphere, Habermas effectively points to the possibilities of how the potentials of the public sphere and public opinion are to be utilized in building up an ideal civil society that is responsible and politically committed.

⁹ Hannah Arendt, *The Human Condition. Introduction by Margaret Canovan* (Chicago/London: The University of Chicago Press [1958] 1998), 54f.

¹⁰ See inter alia: Theodor W. Adorno, *Meinungsforschung und Öffentlichkeit (1964)*, Gesammelte Schriften, Bd 8: *Soziologische Schriften I*, ed. R. Tiedemann, unter Mitwirkung von G. Adorno, S. Buck-Morss, K. Schultz, (Frankfurt/M: Suhrkamp Verlag, [1972] 1990), 532f; Franz Ronneberger, "Organisierte Interessen und öffentliche Meinungsbildung", *Soziale Welt*, 15. Jahrg., H. 1 (1964): 40–46; Peter Häberle, "Öffentlichkeit und Verfassung: Bemerkungen zur 3. Aufl. Von Jürgen Habermas, *Strukturwandel der Öffentlichkeit (1968)*", *Zeitschrift für Politik*, Neue Folge, Vol. 16 (1969), No 2, 273–287. See also the polemical works: Oskar Negt, Alexander Kluge, *Public Sphere and Experience. Toward an Analysis of the Bourgeois and Proletarian Public Sphere*, foreword by M. Hansen, transl. by P. Labanyi, J. O. Daniel, A. Oksiloff, (Minneapolis: The University of Minnesota Press, 1993); Wolfgang Jäger, *Öffentlichkeit und Parlamentarismus. Eine Kritik an Jürgen Habermas* (Stuttgart: Verlag W. Kohlhammer, 1973).

¹¹ Jürgen Habermas, Christoph Oehler, Ludwig von Friedeburg, and Friedrich Weltz, *Student und Politik. Eine soziologische Untersuchung zum politischen Bewußtsein Frankfurter Studenten* (Neuwied: Luchterhand Verlag, [1961] 1969); Jürgen Habermas, *Strukturwandel der Öffentlichkeit. Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (Neuwied: Luchterhand [1962] 1990); Jürgen Habermas, "Öffentlichkeit," in *Staat und Politik. Das Fisher Lexikon*, ed. E. Fraenkel and K. D. Bracher (Frankfurt: Fischer Taschenbuch Verlag, [1957] 1976), 220–226.

¹² Marek Czyżewski, *Öffentliche Kommunikation und Rechtsextremismus* (Łódź: Wydawnictwo Uniwersytetu Łódzkiego, 2005), 288–292.

The evocative power of his concept of the public sphere in the 1960s turned out to be a remedy for the political inertia that marked the postwar West German society of the Adenauer era¹³ and soon became the subject matter for surveys and numerous critical studies both in Germany and abroad.

2. THE MODEL OF THE CLASSICAL BOURGEOIS PUBLIC SPHERE

Habermas invented his concept of the public sphere by adopting the bourgeois ethos of eighteenth-century England, France, and Germany. In his early works as well as in the later ones Habermas brings up the existence of milieus in which public sphere developed simultaneously with the bourgeois one, namely the plebeian class and a variety of small-scale businessmen groups (counter-publics).¹⁴ The reason, however, why he excludes them from the process of civic autonomy and public rationality formation is their inability to bring into that process a new quality that might have changed it substantially. As Honneth puts it, plebeian associations were devoid of the Enlightenment progressive self-awareness; their demands were also devoid of universality as they came from existential privation; they generated and inclined to feed on short-term acts of non-conformism such as strike and class struggle. Plebeian groups might have formed their own spheres of public debate similar to the bourgeois one in terms of culture and civility, nevertheless, the problems discussed within them did not seem to have any significant meaning for the whole of society.¹⁵

In this way, his classical model of the public sphere came into being with the bourgeoisie which emerged at that time as an unique group within Europe, becoming more and more independent and growing in its distinctive position in the world of culture, social labor, and commodity trade. This fusion that has bound the public sphere to the bourgeois ethos soon proved to have ambivalent effects on the whole concept. On the one hand, bourgeois moral codes seemed to be the most suitable means of conveying sound reason and common sense, generated by universal individual values such as life, freedom, and property. No previous age has ever managed to create more favorable conditions in articulating individual freedom as well as fitting thereto negative rights to protect them, compared to the intellectual and societal character of occidental modernity. In those unprecedented conditions of modernity, the public sphere, the free market economy, autonomous society, and participatory democracy had

¹³ "Strukturwandel der Öffentlichkeit" von Jürgen Habermas, Michael Haller im Gespräch mit Hans Ulrich Probst, Radio SRF 2 Kultur, 14. März 2012, 1:39–2:21, 7:30–8:10, 10:16–10:29.

¹⁴ Craig Calhoun, *The Roots of Radicalism. Tradition, the Public Sphere, and Early Nineteenth-Century Social Movements*, (Chicago: The University of Chicago Press, 2012), 129–134; Craig Calhoun, "The Public Sphere in the Field of Power," *Social Science History*, 34, no. 3 (Fall 2010): 309f.

¹⁵ Axel Honneth, *Das Recht der Freiheit. Grundriß einer demokratischen Sittlichkeit*, (Berlin: Suhrkamp Verlag, 2015), 477f.

for the first time achieved their objectified ontological forms¹⁶. On the other hand, such proximity to the bourgeois ethos left an indelible and ideological mark on the public sphere and public opinion, according to which full civic subjectivity is attainable only in an integral union of two personal statuses: the first of which depends on education (*Bildung*); the second of which depends on ownership of estate (*Besitz*).¹⁷ The bourgeois ethos adopted by Habermas as a pattern and explanation of full public subjectivity has been raised by some of his critics as an argument that challenges the most fundamental tenet of any public sphere, i.e. its uncontrolled openness to an unrestricted number of people willing to join or leave the arenas of public debate unnoticed, anonymously, and informally.¹⁸ The objections made to the ostensible exclusivity of Habermas's public sphere seem to rest upon questionable factual premises. They draw upon life experiences that differ from those of Habermas's, and they appear to demur at the bourgeois order with its prevailing specific imagining of social roles and functions attributed in the eighteenth-century society to gender, property, and the ability to comprehend. This dissatisfaction with the absence of both plebeian groups and women in the mainstream (bourgeois) public sphere appears to be the consequence of a disapproving outlook on the eighteenth-century societal conditions seen through the lens of non-alternative equal rights for all, that has been a distinctive mark of the Western world after the cultural revolution of the 1960s.¹⁹

¹⁶ Shmuel Noah Eisenstadt, "Public Spheres and Civil Society in Selected Pre-Modern Societies: Some Comparative Observations," *Comparative Sociology* 5, no. 1 (2006): 2; Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), 159–211.

¹⁷ Habermas, *Strukturwandel der Öffentlichkeit*, §4, 6f. "The fully developed bourgeois public sphere was based on the fictitious identity of the two roles assumed by the privatized individuals who came together to form a public: the role of property owners and the role of human beings pure and simple. This identification of the public of 'property owners' with that of 'common human beings' could be accomplished all the more easily, as the social status of the bourgeois private persons in any event usually combined the characteristic attributes of ownership and education". Citation after the English translation *The Structural Transformation of the Public Sphere. An Inquiry into a Category of Bourgeois Society*, translated by Thomas Burger with the assistance of Frederick Lawrence (Cambridge MA: The MIT Press [1962] 1991), 56.

¹⁸ Joan Landes, *Women and the Public Sphere in the Age of the French Revolution* (Ithaca: Cornell University Press, 1988), 7; Amy Allen, "The Public Sphere: Ideology and/or Ideal?," *Political Theory* 40, no. 6 (December 2012): 822; Marie Fleming, "Women and the 'Public Use of Reason'," *Social Theory and Practice* 19, no. 1 (Spring 1993): 29, 33, 38, 42f; Nancy Fraser, "Rethinking the Public Sphere," in *Habermas and the Public Sphere*, ed. C. Calhoun (Cambridge, MA: The MIT Press, [1992] 1996) (hereafter: *HPSCal*), 109–142; Keith Michael Baker, "Defining the Public Sphere in Eighteenth-Century France," in *HPSCal*, 198; Geoff Eley, "Nations, Publics, and Political Cultures: Placing Habermas in the Nineteenth Century," in *HPSCal*, 309f.; Seyla Benhabib, "Models of Public Space," in *HPSCal*, 89–93.

¹⁹ Dena Goodman, *Public Sphere and Private Life: Toward a Synthesis of Current Historiographical Approaches to the Old Regime*, "History and Theory", 31, no. 1 (Feb 1992): 14–20; Maciej Hułas, *Decydować samemu. Sfera publiczna jako "locus" autonomii według Jürgena Habermasa* (Lublin: Wydawnictwo KUL, 2019), 251–253, 524.

Habermas derives the normativity of the bourgeois public sphere from two individual claims that were viewed in the eighteenth century as self-evident and sacred: (1) the individual right to an unrestrained disposal of one's private property in free market commodity trade and social labor exchange; (2) the individual right to formulate one's opinion in the course of public debates through the engagement of cultivated minds and presenting it in the presence of others. Both claims ultimately come down to individual freedom that predisposes the person to an uninhibited self-determination. This is realized by means of an unrestricted disposition of one's intellectual capabilities and free possession of one's own property. Habermas takes the "bourgeois ideology" – anchored to the world that guarantees individual freedom to internalize universal human values (*homme*), and the freedom to dispose of one's private property acquired via the early liberal free market (*Bürger-citoyen*) – to be universal, even if it was historically set and culturally attached to the European Enlightenment. He asserts that what makes them universal is, *firstly*, the openness to cultural content that is inherent in human nature and shared by all, and, *secondly*, the systemic accessibility of a modern free market with its clear-cut rules of participation applicable to everyone. Neither economically conditioned inequality of access to education which makes possible the proper comprehension of high culture, nor historically conditioned inequality of wealth distribution which excluded the majority of the eighteenth-century population from free market activities, contradict the inherent openness of human nature to involve itself in the products of high culture (knowledge, esthetics, morality), as well as the intrinsic openness of a free market to everyone with its codes of fair competition by engaging knowledge, discipline, fortune, etc. Any kind of interference on the part of an absolutist state in either of these claims, whether as interference in free market processes or censorship of the free press, was viewed as an invasion of man's individual freedom which was held as sacred and hence provoked opposition legitimized by codes of the new moral order of modernity.²⁰ By making the bourgeois ethos a bulwark for protecting the normativity of an early liberal public sphere, Habermas reached for the emancipatory program of modernity which explains and provides moral justification for ordinary people's determination in asserting their fundamental freedoms as an inherent part of their humanity. By pointing to historical and civilizational coincidences that made up the circumstances for the bourgeois public sphere to emerge, Habermas delved into the postwar West German society in a quest to find repositories of the same self-awareness and the same instincts of self-determination that once helped the bourgeoisie to overcome its natural anxiety over forming an open counter-front that challenged state absolutisms. Habermas tried to instill in society the incentive for action, analogous to those which had

²⁰ Taylor, *A Secular Age*, 159–168.

inspired the eighteenth-century bourgeoisie in the struggle for individual freedoms, colonized by authoritarian powers. He strove to resuscitate the analogous self-defense reflex against new forms of authoritarianism that in its own manner continue to colonize various areas of the lifeworld, particularly in the realm of political self-determination.

Habermas's concept of the public sphere in its original formula comes into being in the acts of the bourgeoisie's non-conformity to the authoritarian policy of an absolutist state, striving to control key areas of civic autonomy, i.e. commodity exchange and social labor trade, as well as a free market of information and public opinion. That very reaction ideally epitomizes the self-defense reflex manifested in open dissent in which individuals publicly defied the morally unjustified interference of external factors in the domain of sacred individual freedoms. In the era of the formation of the free market, the individual right that allowed one to operate freely in the realm of the economy by following individual market strategies, realized at one's own expense and risk, was viewed as the most obvious instance of privacy,²¹ the violation of which triggered justified opposition. Habermas managed to capture that particular condition of psychological determination and recognized its role in the historical activation of those unique normative resources on which the public sphere feeds. The state's interference in the right of unrestrained rule over one's own property was viewed in the early liberal world as an invasion in the realm of individual freedoms famously portrayed by Locke: it impinged on the economic condition of the nuclear bourgeois family affecting its existence under the free market distribution of goods which was indispensable for living.

3. THE POINT OF CONVERGENCE – THE PUBLIC SPHERE AND PRACTICAL INTERESTS

The normativity of Habermas's public sphere, which emerged through the spontaneous reactions of ordinary people striving to protect their innate freedoms threatened by authoritarian absolutism, gains a significant boost on account of its convergence with practical interests – those which come up naturally in the midst of daily life. In his famous thesis on the joint union of knowledge and human interests, which is a hermeneutical key to correctly comprehending the **logic** of the public sphere,²² Habermas asserts that everything that absorbs cognitive attention and what is really worth knowing should

²¹ Margaret R. Somers, "What's Political or Cultural about Political Culture and the Public Sphere? Toward an Historical Sociology of Concept Formation," *Sociological Theory* 13, no. 2 (1995): 126.

²² Richard Sennett, *The Public Realm*, "Quandt," available at: <https://www.richardsennett.com/site/senn/templates/general2.aspx?pageid=16&cc=gb>; Peter Uwe Hohendahl, *The Institution of Criticism* (Ithaca: Cornell University Press, 1982), 271; Jäger, *Öffentlichkeit und Parlamentarismus*, 67.

come out and be reflected in concrete existential needs. Therefore, practical needs delineate the very subject matter, the directions of human cognizance, and finally they are to be reflected in action. Habermas developed this thesis, which seems obvious *prima facie*, in the 1960s as a critical stance toward positivism. He claims that the positivist annexation of theory, which led to its confinement to the specialist taxonomy of methodological rigor, had distorted the primeval meaning of theory, as well as its original purpose – that is, to explain and interpret real problems which preoccupied people in their everyday lives.²³ The implications of this thesis for the public sphere in general and its normative layer in particular can be identified as follows.

(1) Since an authentic public sphere always comes into being in spontaneous reactions through which ordinary people strive to protect their practical interests that are indispensable for their continued existence, it cannot, therefore, for the same reason serve as a testing arena for any so-called non-committal views. The issues which spontaneously enter the public debate are always practically defined, and they are neither neutral nor indifferent. Any authentic public sphere, notwithstanding different circumstances, constitutes a communication arena that is intended for “uncompromised realists”: those who clearly understand the consequences of unresolved problematic situations in their everyday life. These are people determined to take up all possible, legally permitted actions that may result in a concrete solution that is essential to their vital interests. Making use of the public sphere as a means of testing new ideas might turn out to be too dear a lesson for them to afford. The public sphere is never the occasion for dealing with trivialities, but instead always seeks to resolve issues that are vital for everyday living.

(2) Practical interests vital for everyday life function as filters that protect the public sphere from an inundation of issues that do not have anything in common with provision for continued existence. It refers, firstly, to the aforementioned trivialities which, if included in public debate agendas, absorb participants' attention and leave less room for those problems that are of vital interest. Secondly, it is about protecting the component of critical rationality of those participating, which may be affected by the influx of information in the era of digital media. To refer to Lippmann, the large volume of news, regarding a variety of unrelated incidents, hijacks the recipients' attention and debilitates their capacity of grouping these disparate items into clusters of meaning.²⁴ This

²³ Jürgen Habermas, “Erkenntnis und Interesse,” in *Technik und Wissenschaft als “Ideologie”* (Frankfurt: Suhrkamp, [1965] 1968), 146–151; David Held, *Introduction to Critical Theory. Horkheimer to Habermas* (Berkeley: University of California Press, 1980), 300; Andrzej Maciej Kaniowski, *Filozofia społeczna Jürgena Habermasa. W poszukiwaniu jedności teorii i praktyki* (Warszawa: Kolegium Ortyckie, 1990), 176.

²⁴ Walter Lippmann, *Public Opinion. With a New Introduction by Michael Curtis*, (New Brunswick/London: Transaction Publishers, [1922] 1998), 358.

is indispensable in understanding the complexity of events that occur in the lifeworld. Practical interests are sobering to those who, by participating in public debates, make fundamental adjudications that are to be observed further by all as valid and legally binding. They work as stimuli of rational decision-making, particularly amid conditions of ubiquitous information influx and the recipients' impaired sensitivity, which prompts them to take a jaded view of many incidents whose seriousness is a cause for concern but go unnoticed because of the overabundance of news broadcast, e.g. reports on violence, accidents, humanitarian and natural disasters, as well as a variety of random incidents.

(3) The thesis on the inherent interdependence of knowledge and practical interests helps praxis to regain its original meaning which has been distorted by two universalisms that have organized and ruled everyday life in the modern era: market efficacy and instrumental rationality.²⁵ In the systemic logic of those two universalisms, praxis has been equated with knowledge while action has been subordinated to the quickest and most rational profit capitalization, preferably via market.²⁶ Praxis, meanwhile, goes beyond the narrow domain of market efficacy and instrumental rationalization. The range of forms of praxis realized in the modern world encompasses a diverse array of activities, many of which have little in common with markets and instrumental rationality, but nevertheless are indispensable for people in developing their personal integrity. Economic success, for instance, is not only a consequence of some short-term market strategies, as it may appear at first glance. It is, first and foremost, an outcome of actions carried out by autonomous subjects who stick to and follow the patterns set as a means of realizing their individual life plans.²⁷ Regaining the original concept of praxis, freed from its instrumental market distortions, helps to reveal, among other things, the practical dimension of activities such as contemplation or reflection on the world of ideas, transcendence, art, etc. Practical interests that provide for continued existence are determining factors in public debates: they help participants regain the sense of being in charge of issues of utmost importance for long-term survival and all else that they face in the routine of their daily lives. In decent societies, i.e. those that do not pursue self-destructive ends, it is practical interests that delineate the directions in which demands are formulated; they impart logical cohesion into arguments being put forward; and they motivate to care for the substantive, ratio-critical component of public debates and the adjudications made therein.

²⁵ Immanuel Wallerstein, "Cultures in Conflict? Who we are? Who are the Others?," *Journal of the Interdisciplinary Crossroads* 1, no. 3 (2004): 505–521.

²⁶ Michael Burawoy, "For Public Sociology. Presidential Address," *American Sociological Review* 70 (2005): 11f.

²⁷ Gerald Dworkin, *The Theory and Practice of Autonomy* (Cambridge: Cambridge University Press, 1988), 10–13; John Christman, "Autonomy, History, and the Subject of Justice," *Social Theory and Practice* 33, no. 1 (2007): 1–6.

Recall the two aforementioned sources of normativity on which Habermas's model of the public sphere rests: (1) protection of individual freedoms by making an uncompromising non-conformist demand for the inviolability of fundamental freedoms and negative rights of individual self-determination; and (2) the inseparable interdependence of knowledge and practical interests. Taken together, these bring Habermas's concept of the public sphere into line with those civilizational achievements whose proper functioning is essential for emancipation achieved by a life that lives up to one's own visions and aspirations.

Let us now track how Habermas's model of the public sphere was modified to respond to and accommodate further critiques and ascertain whether these modifications stand up to the original basis of normativity.

4. NORMATIVITY OF THE PUBLIC SPHERE IN THE CRISES OF ADVANCED CAPITALISM

Habermas made the first revision to his model of the public sphere in the early 1970s when dealing with the systemic crises of advanced capitalism defined as societal conditions of a state that is free-market oriented, democratic, and providing for the welfare of all. This revision, which has not resulted in any substantial alterations regarding the normativity of his public sphere, was, nevertheless, a harbinger that delineated the directions of future changes. In Habermas's view, the **motivational** crisis, which disrupts the socio-cultural, partial system, and the **legitimation** crisis, which upsets the partial system of politics, signal vital deficiencies in the functioning of the public sphere, and thereby clarify its normative premises that stand out when endangered.²⁸

The proper functioning of the public sphere, considered by Habermas to be the way of societal emancipation, depends on how deeply it is ingrained in its normativity. However, the normativity derived from the bourgeois ethos ceases to function under the conditions of advanced capitalism in which the lifeworld is organized and ruled by social partial systems: economic, political, and socio-cultural. The historical coincidence of the systems organizing and ruling the lifeworld on the one hand, and the comfortable living conditions provided by a welfare state on the other, prompted Habermas to introduce some changes into his original critical approach to democracy regarding its potential for securing ordinary people's political emancipation.

(1) Habermas sees the pretentiousness of formal democracy within the political partial system – which on the one hand provides the state in advanced capitalism with the essential minimum of its legitimation, while on the other

²⁸ Jürgen Habermas, *Legitimationsprobleme im Spätkapitalismus* (Frankfurt: Suhrkamp, [1973] 2015), 73.

limits the political role of citizens to the right of a possible withdrawal of acclamations bringing about legitimation endorsing those who hold positions of political authority – as an instrumental misuse of those normative resources on which his model of the public sphere rests, and which the bourgeoisie had appropriated by standing up against the all-encompassing, absolutist state control, making these resources an integral part of its cultural ethos. Appropriating them required a price to be paid for the spontaneous and hazardous act of non-conformism by ordinary people directed against the overwhelming power of absolutism. Therefore, the very legacy of the public sphere must never be reduced to a minor issue of political praxis that is democratic in name only. Passivity, as an ordinary political condition of citizens in formal democracy of advanced capitalism, is defined by Habermas as a squandering of the emancipatory endeavors made by previous generations and as a regression into the world of a new absolutism.²⁹

(2) The normativity of democracy and of the public sphere is derived from the unprecedented and unique marginal conditions of a specific temporality and civic culture, i.e. the modern Occident. In this sense, it is non-replicable even if it draws on the best resources of meaning available in the society of advanced capitalism, such as scientism, post-auratic art, and universal morality. (a) Scientific universalism, despite its all-encompassing nature, tends to break away from tangible problems of real life, which call for concrete solutions. (b) Post-auratic art turns out to be no match for the greatness of ethics and esthetics to the measure of “the Republic of Letters”. (c) The generality of norms and autonomy as part of universal morality is not ingrained in social reality. The only way for the public sphere to retain its original normativity in advanced capitalism is by its continuation, and this may only be possible by rummaging into those areas of social life in which the repositories of the original normativity of the public sphere based on individual freedoms and negative rights are preserved.³⁰

(3) When traditional axiologies linking the public sphere with its original normativity of individual freedoms and negative rights become obsolete, Habermas points to a new way of getting at the resources of the same normativity, i.e. consensus achieved within and through the specific terms of the ideal speech situation. Despite its utopian character, he is convinced that consensus can be attained, provided that it comes about spontaneously around vital existential interests. These vital existential interests and their translation into real existential conditions are what propel the automatism of the ideal speech situation and consensus.

²⁹ *Ibid.*, 54–56.

³⁰ *Ibid.*, 120–125.

5. NORMATIVITY OF THE PUBLIC SPHERE IN THE WORLD OF PARTIAL SYSTEMS

A formidable challenge for the normativity of Habermas's public sphere was Luhmann's famous thesis about the uselessness of collective identity for societal integration in a world organized and ruled by autopoietic partial systems.³¹ The fact that Habermas adopted a modified version of systems theory does not mean that he renounced everything that comprised the essence of his model of the public sphere, that is, individual emancipation of those participating through their capability of self-determination. The most substantial difficulty he encountered in realizing this vision, however, was the social, political, and economic conditions of the systemic world, which were entirely different from the transparent bourgeois order, with its clear-cut polarization of conflicting sides (society vs. the authoritarian state) representing diverse interests and clustered around different institutions of civil society: coffeehouses, salons, Tischgesellschaften, etc. Transferring the model of Habermas's public sphere from the bourgeois setting to a systemic one without losing any of its essence requires a maneuver which he describes as a shifting of normative sense. Such a shifting of normative sense is brought about by identifying those forms and those areas in which the public sphere's original normativity remains after being transferred from the bourgeois reality into the new conditions of the world organized and ruled by autopoietic partial systems. This is the world in which: (1) the integrating powers of traditional axiologies in society become obsolete; (2) privatism has weakened the sense of democracy and political participation; (3) technically specialized mechanisms of the political partial system has brought about civic torpor resulting from apathy and a sense of impotence, which in turn causes people to exclude themselves from participating in political decision-making. In a world organized and ruled by the partial systems, former demands made on the basis of traditional, bourgeois normative culture retain their essential layer when reformulated and remade on the basis of universal morality, which, in a pluralist society, replaces the traditional normative orientations. The weight of the former liberal bourgeois normativity finds, therefore, its new anchor in universal morality, which is not a derivative of traditional normative orientations, but rather is produced through correctable learning processes (*Lernprozesse*). Universal morality is manifested in generality, in the universality of equal opportunities to participate in communications which define identities and hence norms and values, as well as in the universality of humankind. The norms of universal morality are created in the individual identity projections of those participating in communication, that is, in their understanding of themselves in the broader perspective of the goals for which

³¹ Niklas Luhmann, "Öffentliche Meinung," *Politische Vierteljahresschrift* 11, no. 1 (1970): 11–16.

they are striving, as well as their own self-perceptions.³² The normativity as derivative of universal morality is protected by Habermas's notion of communication that is discursive and experimental, drawing on reservoirs of rationality such as science, philosophy, art, and religion.³³ Habermas does not treat communication as a rival to tradition. Rather, he perceives in it a moral vestige that remains after the potentials of traditional axiologies have expired. He asserts that communication carried out within the ideal speech situation guarantees continuity of those universal values that had been protected in the bourgeois era by individual freedoms and negative rights. The grassroots character of communication and its unofficial, diffuse, and apolitical nature (but with the ability to influence the decision-making process made in the realm of politics) are harbingers of the second unveiling of the public sphere, which Habermas introduced after the collapse of the Eastern bloc when new heightened demands for the idea of civil society heralded a new renaissance of the public sphere.

6. NORMATIVITY OF THE PUBLIC SPHERE IN *ZIVILGESELLSCHAFT*

In this new iteration of the public sphere, universal morality as a continuation of bourgeois normativity is anchored in the democratic structures of a constitutional state. In the normativity of radical democracy Habermas discerns new reservoirs of that normativity which provided legitimation to the public sphere since its very inception. He singles out several invariants typical of his concept of democracy, which he perceives as reservoirs that retain the original normativity of the public sphere and offer an outlet thereof.³⁴

(1) The first invariant to which Habermas points is the thesis on the co-originality of private and public autonomy, derived from the individual subjective right. Habermas demonstrates how the Lockean notion of autonomy, viewed as negative self-determination, and the inborn condition of every human being (self-sufficiency) converge in a joint union with Rousseau's notion of autonomy, viewed as positive self-determination (self-rule). In this thesis, Habermas overcomes the traditional dichotomy of liberalism vs. republicanism, which converge and constitute a fusion of civic autonomy.³⁵ In this paper I argue, that the critical mass in the public sphere formation exceeds in the moment in

³² Jürgen Habermas, "Können komplexe Gesellschaften eine vernünftige Identität ausbilden?," in *Zur Rekonstruktion des historischen Materialismus* (Frankfurt: Suhrkamp, 1976), 115–118.

³³ Jürgen Habermas, "Glauben und Wissen. Friedenspreisrede 2001," in *Zeitdiagnosen. Zwölf Essays 1980–2001* (Frankfurt: Suhrkamp, 2003), 251–257.

³⁴ Jürgen Habermas, *Faktizität und Geltung. Beiträge zur Diskurstheorie des Rechtes und des demokratischen Rechtsstaats* (Frankfurt: Suhrkamp, 1992), 12f.

³⁵ *Ibid.*, 110–135; Jürgen Habermas, *Die Einbeziehung des Anderen. Studien zur politischen Theorie* (Frankfurt: Suhrkamp, 1996), 298f.

which ordinary people (early bourgeoisie) cross the Rubicon of submission to the policy of an absolutist state. This statement may be confusing in a sense as it may give rise to the belief that Habermas derives his concept of the public sphere solely from negative rights. Individual autonomy anchored to fundamental freedoms, individual emancipatory interests and corresponding defensive rights endangered by morally unjustifiable policy of an absolutist state reflect perfectly the psychological condition of those bringing historically into being the first public sphere, it gives insight into the determination that ignites the public spirit in people, it consequently seems to mark the starting point of the public sphere as a first ring in the chain of its formation. In fact, however, both in his early and later works Habermas attempts to embed “negative” freedoms in the wider context of collective emancipation. The project of the early liberal public sphere that originates in private autonomy turned out to be successful thanks to the collective potentials of the critical deliberation in a search of consensus over what may best safeguard the collective welfare (public autonomy). The notion of private autonomy intertwined with the public one which Habermas expounded in detail in the 1990s is implicitly present in his concept of public sphere from its very beginning.

(2) The second invariant is the aforementioned communication accompanied by communicative power brought about in the collective agreement of will, which Habermas deems the source of just law. The communicative power springs from the psychological moment when public debate participants activate their natural communication abilities and from the intersubjectivity of everyday language and its diversity. The complexity of everyday language, along with its multifunctionality, is a reflection of the complexity and multifunctionality of the lifeworld, which opens the public sphere to the wide range of problems that ordinary people encounter in their daily routines.³⁶

(3) The third invariant in which the original normativity of the public sphere is retained is the neutrality of ideas, which provides for and guarantees all participants in public debate common intelligibility under the condition of a pluralism of ideas. The neutrality of ideas enables the creation of a context of equal position for diverse stances in the public debate.

(4) The fourth invariant is the openness of the public sphere to the lifeworld, which signals the continuation of its inherent relationship with practical interests.

When the model of the public sphere developed by Habermas is transplanted from its original bourgeois setting to the reality of partial systems, it requires a new model of a civil society that preserves the original notion of civic autonomy in the world of partial systems. The bourgeois notion of civil society (*Bürgergesellschaft*) draws upon its Hegelian and Marxian conception, in which

³⁶ Habermas, *Faktizität und Geltung*, 183; Jürgen Habermas, “Hannah Arendts Begriff der Macht (1976),” in *Philosophisch-politische Profile*. Erweiterte Ausgabe (Frankfurt: Suhrkamp, 1984), 228–231.

autonomous individuals enjoy the freedom of decision-making and unrestrained acting to fulfill their existential needs, certain in the knowledge that no outside authority, that is to say, the absolutist state, would interfere into the realm of their personal freedom and violate their right to self-determination. The new concept of civil society no longer consists in autonomous individuals who issue a challenge to authoritarian powers in acts of protecting the realm of their personal freedom. Now, the challenge comes from grassroots associations composed of autonomous individuals who collectively form a unanimous stance resisting the lifeworld-colonizing powers of the partial systems. The civic autonomy in the new model of civil society is manifested no longer in individual unrestrained free-market interactions, but within the arena of free associations with every member having the equal right of freely expressing one's opinion. In both variants of civil society, the basic claim of individual freedoms and negative rights remains untouched. Habermas sees public opinion forged and expressed within associations as a new form of that particular act of self-determination which participants of the bourgeois public sphere had manifested in the conditions of an absolutist state.³⁷

The civil society of the systemic world (*Zivilgesellschaft*) and the bourgeois society of the first modern public sphere (*Bürgergesellschaft*) share many common features. Both are independent of the systems of family, state, and economy.³⁸ Both share the potential to mobilize ordinary people in challenging political organizations to reveal political processes and to generate and direct public opinion.³⁹ Both share the potential for urging on and coordinating collective activities that have an impact on the course of state policy, demanding its transparency.⁴⁰ Both are formed in demands for negative freedom, which furnish opportunities to participate in decision-making processes. Both create a room for positive freedom and solidarity within unofficial organizational structures.⁴¹ Both generate diverse forms of involvement in politics, economy, and culture – the diversity of associations corresponds to the diversity of the roles that ordinary people assume in society: citizens, consumers, family members, nation members, members of religious affiliations, etc. And finally, both variants of civil society create an arena for public debate in which all forms of privilege are excluded.⁴²

³⁷ Habermas, *Faktizität und Geltung*, 443f., 449f.

³⁸ Heidrun Zinecker, "Zivilgesellschaft in Entwicklungsländer – konzeptionelle Überlegungen," *Politische Vierteljahresschrift* 46, no. 4 (2005): 529–533.

³⁹ Jens Steffek, "Zähmt zivilgesellschaftliche Partizipation die internationale Politik? Vom exekutivem zum partizipativem Multilateralismus," *Leviathan* 36, no. 1 (2008): 109f.

⁴⁰ Gunnar Schmidt, "Zivile Gesellschaft und öffentlicher Raum," *Leviathan* 23, no. 4 (1995): 565.

⁴¹ Brett R. Wheeler, "Democratic Pluralism or Pluralist Democracy: Jürgen Habermas's Theory of Constitutional Morality and its Institutions," *German Politics and Society* 13, no. 3 (1995): 72f.

⁴² Michael Walzer, *Zivile Gesellschaft und amerikanische Demokratie*, mit einer Einleitung von O. Kallscheuer (Berlin: Rotbuch Verlag, 1992), 66–79; Stefan May, "Zivilgesellschaft als

The matrix of the civil society (*Zivilgesellschaft*) are associations which institutionalize public discourses that strive to solve problems that are of particular interest to the general public. The effective articulation of these problems in the public sphere – controlled by corporations and organized mass media, large agencies monitored by political parties and flooded with propaganda – requires a vehicle that will effectively introduce social interests into this world of corporations, agencies, and institutions of organized capital. These vehicles are associations.


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**CRITICAL THEORY IN REGRESSIVE TIMES:
LIBERALISM, GLOBAL POPULISM AND THE “WHITE LEFT”
IN THE TWENTY-FIRST CENTURY***

Abstract

In this paper, I consider not only the crisis in conservative neoliberalism and free market economics, but a crisis of representation and plausibility in progressive new liberalism; a situation which leads to deadlock for progressivism in which things *cannot* progress. In order to address this state of crisis in the global perception of the “white left,” Critical Theory, as a mode of Western liberal thought, needs to rethink the direction of its own criticism. Additionally, Critical Theory needs to adjust its focus to respond to the deadlock presented by the rise of right-wing populism and the derogation of liberal values in these regressive times (I refer antonymically, here, to Jürgen Habermas’s use of the term “progressive”). The radical democratic ideal advocated by Habermas, comprising universal equality and emancipation, should still be the goal for liberalism, and for Critical Theory, but first of all, the achievements and advances liberal progressivism has already made need to be secured to prevent society from regressing. This does not mean making a choice between neoliberalism and authoritarianism, but that a new paradigm of thinking is due. I argue that universality is anterior to cultural pluralism, as are social topics to cultural issues, and justice of distribution to justice of identity. In the complex world of modernity, good things do not come together if there is conflict between desirable values, so choices need to be made: a ranking of real, material conditions is necessary, to ensure cohesion and progression.

Keywords

Critical Theory, social progress, regression, liberal left, populism, Habermas

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1.

Heinrich Geiselberger, writing in 2017, declares that we are now living in the era of “the great regression” (“die große Regression”) and he suggests that the world is “witnessing a reversion to an earlier stage of ‘civilized conduct.’”¹ As the world sees the global return of authoritarianism and the rise of right-wing populism, the growing dominance of right-wing politics challenges the basic tenets of modernity and progressive processes that had been ongoing since the end of the Second World War.

Jürgen Habermas argues that the moral-practical self-understanding of modernity as a whole concerns the best polity, and the self-understanding attached to universalist moral consciousness and to the liberal design of the constitutional state.² For the duration of his career thus far, Habermas has sought to improve this normative understanding of democratic constitutional state and to envision the best practical way of realizing it. In this sense, we can say that Habermas’s theory is a progressive reconstruction of modernity. His philosophy is not only a counterpart to the great intellectual achievement of the democratization of Germany after the Second World War, but it may also be viewed as a main spiritual resource of this process.

Importantly, Habermas is appreciated by intellectuals around the world, including in the countries of Eastern Asia and China. It has been more than thirty years since I began reading and studying Habermas’s work. In this time, the thinkers of the Frankfurt School have been translated and published in China and have had a great impact in Philosophy and the Social Sciences, where arguably the most influential thinker among the School’s associates is Habermas. His visit to China in April 2001 caused a major stir: the audience was so large that the venue had to be changed repeatedly, and the talk eventually took place in an auditorium that held thousands of people. The visit is considered to be one of the most important academic events in China after Bertrand Russell’s and John Dewey’s visits to the country in 1919. In Chinese academia, Rawls and Habermas are recognized as the greatest democratic theorists of the past thirty years. However, the social and political atmosphere here is beginning to change. Many people are now questioning the efficacy of the Western mode of democracy, and its associated theoretical discourses. Cynicism is directed not only at Habermas and the Frankfurt School, but toward the entire tradition of liberal democracy in the West as a whole. A phenomenon resulting from this is that people who hold liberal democratic values are deemed “white left,” a term (discussed below) that expresses profound contempt.

¹ Heinrich Geiselberger, “The Great Regression: Preface of the editor,” in: *The Great Regression: An International Debate* (Berlin: Suhrkamp Verlag, 2017), <http://www.thegreatregression.eu/preface-of-the-editor/#fn4> (accessed: October 28, 2019).

² Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, translated by William Rehg (Massachusetts Institute of Technology, 1996), xli.

“Baizuo” is a neologism created by China’s netizens. Literally “white left” in mandarin, “baizuo” refers to liberal elites, predominantly those in the West. One Chinese scholar who interviewed adopters of the term explains its meaning and connotations:

Although the emphasis varies, baizuo is used generally to describe those who “only care about topics such as immigration, minorities, LGBT and the environment” and “have no sense of real problems in the real world;” they are hypocritical humanitarians who advocate for peace and equality only to “satisfy their own feeling of moral superiority”; they are “obsessed with political correctness” to the extent that they “tolerate backwards Islamic values for the sake of multiculturalism;” they believe in the welfare state that “benefits only the idle and the free riders;” they are the “ignorant and arrogant westerners” who “pity the rest of the world and think they are saviors.”³

According to the term’s users, baizuo is the main source of chaos and conflict in the Western world today. For example, these netizens believe that simply to quell the white left’s conscience, European countries have accepted large numbers of Islamic refugees, which has led to terrorist incidents, as well as financial burdens, in these countries. In these netizens’ views, the political correctness preached by baizuo clouds their morality and values. In short, baizuo (白左) is idiot (baichi, 白痴), a naïve, simple, and narrow-minded liberalist.

It is important to note that “white left” does not only refer to Western white people, but to all people who believe in political liberalism, cultural pluralism, moral universalism, the welfare state, cosmopolitanism, ecologism, feminism and gender politics. So, Barack Obama, Angela Merkel, and even the liberal Chinese intellectual elite are all considered to be baizuo. In politics, many people who claim to be opponents of the white left are also supporters of Donald Trump.

The term is now not only used by China’s netizens, but has spread to the West and elsewhere, and is now even included in the Urban Dictionary.⁴ In 2017, Fox News devoted a program to it; even in Germany the word attracts public attention, and some conservatives agree with its criticism of the white left. The emergence of the term, baizuo, and its spread in the West, signal the global rise of right-wing populism.

In my view, the current crisis is not just a crisis of conservative neoliberalism and the free market, but also a crisis of progressive new liberalism. Some people directly claim the white left is a regressive left, because the program of liberal left did not improve our society, rather than causes chaos and conflicts in politics. We live in a complex and difficult situation, the prospect of progress is fading, but the retrogression is becoming more and more obvious. If we concede the normative ideal of the Critical Theory is liberal leftism, the challenge the liberal left faces is also challenge the Critical Theory has to face.

³ Zhang, “The Curious Rise.”

⁴ <https://www.urbandictionary.com/define.php?term=baizuo> (accessed: October 29, 2019).

2.

The world in 2019 finds itself in a situation similar to that which Karl Polanyi described in the 1930s: “Nineteenth-century civilization has collapsed.”⁵ In the interwar period, he described how:

Democracy and Capitalism, i.e., the existing political and economic system, have reached a deadlock, because they have become the instruments of two different classes of opposing interests. [...] Fascism resolves it at the cost of a moral and material retrogression.⁶

Today, I argue, we face the same deadlock. The neoliberal world order, and its globalization project, is in a state of collapse; what follows is the rise of the authoritarianism across the world.

What is the origin of this situation? Neoliberalism is often considered a conspiracy of the neoclassical economists of Chicago University, while, actually, New Left criticism and new social movements are major promoters of neoliberalism. Since the 1960s, progressive liberals and new social movements have criticized many aspects of the welfare states of advanced Western societies as simply a different and less directly exploitative form of capitalism. Even though this new form of capitalism alleviated some of the effects of class inequality and the conflict of distribution in liberal capitalism, the rationalized organizational form of industrial production and the omnipresent invasion of state power into lifeworld nevertheless caused serious alienation and dehumanization. To some extent, the progressives’ criticism has damaged the legitimacy of the post-war liberal, democratic, and welfare state system. Unlike social critiques of traditional socialism, new left and liberal democrats developed a new style of critique, namely cultural critique or aesthetic critique. The critique focused on the side-effects of homogenization and alienation brought about by the welfare state, rather than the domination of the traditional inequality of class relations and economic distribution in capitalist society. The post-materialist values to which cultural critique or aesthetic critique appeal are authenticity, creativity, spontaneity, elasticity and diversity, rather than solidarity, safety of life and equality of wealth. The new critique is ambiguous insofar as, on the one hand, it contains rational normative intent, while on the other, it also has morally compromising effects. Just as Luc Boltanski and Eve Chiapello analyzed in *The New Spirit of Capitalism*, the demands of cultural criticism, such as autonomy, creativity, authenticity, and liberation, have been absorbed and integrated into the system of new capitalism and have given birth to neoliberal capitalism.⁷

⁵ Karl Polanyi, *The Great Transformation* (Boston, MA: Beacon Press, 2001), 3.

⁶ Karl Polanyi, *Karl Polanyi’s Vision of Socialist Transformation*, eds. Michael Brie and Claus Thomasberger (Montreal: Black Rose Books, 2018), 8.

⁷ Luc Boltanski and Eve Chiapello, *The New Spirit of Capitalism*, trans. Gregory Elliott (London and New York: Verso, 2005), 326–327.

Nancy Fraser has pointed out that Donald Trump's supporters are not only disappointed with neoliberal globalization, but are also dissatisfied with progressive new liberalism.⁸ Arguably, progressive new liberalism represents a union of cultural elites from social movements (feminism, multiculturalism and LGBTQ rights) and business elites (from Wall Street, Silicon Valley and Hollywood) and the former provide the latter with some strong arguments for rejecting the welfare state. Progressive liberalism is Critical Theory with an emancipatory intent, but its outcome is ambivalent: the ideals of diversity, empowerment and singularity are shared by neoliberalism to enforce its own legitimacy. This is peculiar to the situation today.

3.

Critical Theory, however, has encountered profound retrogression before. In the darkest days of mid-twentieth-century Fascism, Walter Benjamin, Max Horkheimer, and Theodor W. Adorno recommended that the aim of Critical Theory should shift from seeking progress to resisting regression and the evils of Fascism. In *Theses on the Philosophy of History*, Benjamin writes:

To articulate the past historically does not mean to recognize it “the way it really was” (Ranke). It means to seize hold of a memory as it flashes up at a moment of danger. Historical materialism wishes to retain the image of the past which unexpectedly appears to man singled out by history at a moment of danger.⁹

Benjamin advocated dispensing with the ideology of progress, and he noted that “vulgar Marxism” was a major proponent of progressivist ideology:

Social democratic theory, and even more its practice, have been formed by a concept of progress which did not adhere to reality but made dogmatic claims. Progress as pictured in minds of Social Democrats was, first of all, the progress of mankind itself (and not just advances in men's ability and knowledge). Secondly, it was something boundless, in keeping with the infinite perfectibility. Thirdly, progress was regarded as irresistible, something that automatically pursued a straight or spiral course. Each of these predicates is controversial and open to criticism.¹⁰

Benjamin opposed blind faith in progressivism, arguing:

The tradition of the oppressed teaches us that the “state of emergency” in which we live is not the exception but the rule. We must attain to a conception of

⁸ Nancy Fraser, “From Progressive Neoliberalism to Trump and beyond,” *American Affairs* 1, no. 4 (2017). <https://americanaffairsjournal.org/2017/11/progressive-neoliberalism-trump-beyond>

⁹ Walter Benjamin, “Theses on the Philosophy of History,” in *Illuminations*, trans. Harry Zohn (London: Pimlico, 1999), 245.

¹⁰ *Ibid.*, 252.

history that is in keeping with this insight. Then we shall clearly realize that it is our task to bring about a real state of emergency, and this will improve our position in struggle against Fascism.¹¹

It would not be appropriate to apply Benjamin's Marxist version of anti-progressivism exactly to the present situation, but the similarities between the mid-nineteenth-century's and today's periods of regression are significant. Horkheimer and Adorno also noted that the society of their times "instead of entering into a truly human condition, is sinking into a new kind of barbarism."¹² Despite this, they still believed that "social freedom is inseparable from enlightened thought," but their prediction of a "new barbarism" reflects the danger of an uncritical orientation toward progress.¹³

And what is progress? Alain de Benoist writes, in *A Brief History of the Idea of Progress*:

The idea of progress seems one of the theoretical presuppositions of modernity. One can even regard it, not without reason, as the real "religion of Western civilization." [...] Progress can be defined as a cumulative process in which the most recent stage is always considered preferable and better, i.e., qualitatively superior, to what preceded it. This definition contains a descriptive element (change takes place in a given direction) and an axiological element (this progression is interpreted as an improvement). Thus it refers to change that is oriented (toward the best), necessary (one does not stop progress), and irreversible (no overall return to the past is possible). Improvement being inescapable, it follows that tomorrow will be always better than today.¹⁴

But human history is not a continuous, accumulative, and ever-improving process; historical progress is often interrupted by disaster and declines into regression. On the other hand, the concept of historical pessimism *as optimism* (the idea that the past was bad, but the future will be an inevitable improvement) is double-edged. The former leads to despair; the latter, which is easily believed, to conformism. As Adorno said:

[P]rogress is not a conclusive category. It wants to cut short the triumph of radical evil, not to triumph as such itself. [...] In this case, progress would transform itself into the resistance to the perpetual danger of relapse. Progress is this resistance at all stages, not the surrender to their steady ascent.¹⁵

¹¹ *Ibid.*, 248–249.

¹² Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenment*, trans. John Cumming (New York: The Continuum Publishing Company, 1994), xi.

¹³ *Ibid.*, xiii.

¹⁴ Alain de Benoist, "A Brief History of the Idea of Progress," *The Occidental Quarterly* 8, no. 1 (Spring 2008): 7.

¹⁵ Theodor W. Adorno, "Progress," in *Can One Live after Auschwitz?*, ed. Rolf Tiedemann (Stanford: Stanford University Press 2003), 145.

In the twenty-first century, it is important for contemporary Critical Theory to listen to the voices of the previous generations, and seek new a new direction for thought.

4.

Habermas's theory is a theory of progressive reformism. It arises from the post-war era of progressivism, and is a grand discourse on improving the process of progression. Richard J. Bernstein suggests:

One might epitomize Habermas's entire intellectual project and his fundamental stance as writing a new *Dialectic of Enlightenment* – one which does full justice to the dark side of the Enlightenment legacy, explains its cause but nevertheless redeems and justifies the hope of freedom, justice, and happiness which still speaks to us.¹⁶

By the time of introducing his theory of communicative action, Habermas not only reconstructed the normative foundations of Critical Theory, but also reclaimed the concept of progress for liberal thought. In an early work, he proposed that: "Liberation from hunger and misery does not necessarily converge with liberation from servitude and degradation, for there is no automatic developmental relation between labor and interaction. Still, there is a connection between the two dimensions."¹⁷ I argue that the entirety of Habermas's subsequent work addresses, in some way, this early proposal. According to Habermas, labor, or production, liberates the technical forces of production and sustains human material life, whereas human interaction, or communication, sets free the normative power that is contained in practical reason. The two dimensions are interdependent. The concept of progress plays an important and necessary function in Habermas's theory, as David Owen notes: "In order to practice a rational social criticism it is unavoidable to presuppose a conception of social change that gives an account of progressive change."¹⁸ On the immanent criticism of historical materialism, Habermas explained:

The development of productive forces depends on the application of technically useful knowledge; and the basic institutions of a society embody moral-practical knowledge. Progress in these two dimensions is measured against the two universal validity claims we also use to measure the progress of empirical knowledge and of moral-practical insight, namely, the truth of propositions and

¹⁶ Richard J. Bernstein, ed., *Habermas and Modernity* (Cambridge, MA: The MIT Press, 1985), 31.

¹⁷ Jürgen Habermas, "Labor and Interaction: Remarks on Hegel's Jena Philosophy of Mind," in *Theory and Practice*, trans. John Viertel (Boston: Beacon Press, 1973), 169.

¹⁸ David S. Owen, *Between Reason and History: Habermas and the Idea of Progress* (Albany, NY: SUNY Press, 2002), 173.

the rightness of norms. I would like, therefore, to defend the thesis that the criteria of social progress singled out by historical materialism as the development of productive forces and the maturity of forms of social intercourse can be systematically justified.¹⁹

From *The Theory of Communicative Action* to *Between Facts and Norms*, Habermas has built on his theoretical edifice. Thomas McCarthy sums up the significance of Habermas's Critical Theory, describing his thought as "empirical philosophy of history with a practical (political) intent." Since the 1980s, Habermas has been fighting two battles: firstly, against neoconservatism, and secondly, against poststructuralism. The former is conceived by Habermas as a theory of modernization without modernity, while the latter he believes is a theory of radical modernity without modernization. For him, neoconservatism is not sensitive to the side-effects of the colonization of the lifeworld, and poststructuralism does not pay adequate attention to the necessity of systems in modern society. Habermas's theoretical achievement is of monumental importance, providing a comprehensive conception of progress that not only gets rid of teleological determinism and teleology, but also successfully rescues its practical and normative content.

Habermas contends that the transformation from liberal capitalism to the welfare state is a progressive process. The restrictions that the social welfare state put on classical liberties cannot be understood as a negation of classic freedom; rather it should be understood as state provision of the material conditions for freedom for the public. The normative intention of the welfare state is justifiable on a normative level, as it tries to eliminate social contingencies induced by the capitalist system and enhance the real opportunities for an equal use of legal freedom. But, for Habermas, "with such overwhelming provisions, the welfare state obviously runs the risk of impairing individual autonomy, precisely the autonomy it is supposed to promote by providing the factual preconditions for equal opportunity to exercise negative freedom."²⁰ This is the dilemma of our times. In order to break the deadlock, he argues: "the social-welfare project must neither be simply continued along the same lines nor be broken off, but must be pursued at a higher level of reflection."²¹ Habermas wants to improve progress with radical democracy. For him, in post-metaphysical times, political legitimacy originates together with private autonomy and public autonomy. Deliberative democracy is the only way of realizing this ideal.

¹⁹ Jürgen Habermas, *Communication and the Evolution of Society*, trans. and intr. Thomas McCarthy (Boston: Beacon Press, 1979), 142.

²⁰ Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: Polity Press, 1996), 407.

²¹ *Ibid.*, 410.

However, the most urgent challenges we face today are not how to overcome the paternalism of the welfare state, but how to save this system from neoliberal globalization; not how to improve “the liberal design of the constitutional state” with a more perfect form of deliberative democracy, but how to sustain the liberal regime of the constitutional state in the face of an overbearing attack from authoritarianism.²² Habermas is not naïve and insensitive to social pathology. His theory not only provides a more reasonable concept, but also diagnoses various forms of communicative deformation in private and public life. But, I note, the focus of his theory is more on the imperfections and dilemmas of the process of progress, rather than on the danger of regression. For example, his discourse theory of democracy is vigilant toward populism, but his criticism targets an unrealistic image of a totalistic democracy of left-wing populism, rather than the danger of authoritarianism posed by right-wing populism.

Habermas believes that over the last two hundred years, Europe has learned to deal with various conflicts of modern society, such as the conflicts between the holy and the secular, market and state, the individual and the collective, rural and urban. The political framework of advanced Western society provides the possibility of private and public freedom. However, these sentiments seem premature today, just as Chinese liberals’ belief that the Enlightenment and the normative beliefs of modernity were securely installed in their country. I argue that Habermas makes an overly optimistic evaluation of Western developed society, and fails to realize the possibility of retrogression. In *The Theory of Communicative Action*, he points out, “the new conflicts arise along the seams between system and lifeworld.”²³ According to him:

In advanced Western societies conflicts have developed in the last ten to twenty years that deviate in various respects from the social-welfare-state patterns of institutionalized conflict over distribution. They do not flare up in areas of material reproduction; they are not channeled through parties and associations; and they are not allayed by compensations that conform to the system. Rather, these new conflicts arise in areas of cultural reproduction, of social integration and socialization; they are carried out in subinstitutional, or at least extraparliamentary, forms of protest; and the deficits that underlie them reflect a reification of communicatively structured domains of action, which cannot be gotten at via the media of money and power. It is not primarily a question of compensations that the social-welfare state can provide, but of protecting and restoring endangered ways of life or of establishing reformed ways of life. In short, the new conflicts do not flare up around problems of distribution, but around questions concerning the grammar of forms of life.²⁴

²² Ibid., xli.

²³ Jürgen Habermas, *The Theory of Communicative Action*, vol. 1, trans. Thomas McCarthy (Boston: Beacon Press, 1985), 395.

²⁴ Jürgen Habermas, *The Theory of Communicative Action*, vol. 2, trans. Thomas McCarthy (Boston: Beacon Press, 1985), 392.

Habermas believed those new resistances and protests are a revolution which signal the shift from the old politics to new politics. Looking back, Habermas made his conclusion too soon. Even though the “new politics” succeeded in many areas, it has not yet resolved the problems of the “old politics.” Even developed Western societies have not tamed the vagaries of the market and reached more just distribution of material wealth, nor have they eliminated the threat of the resurgence of authoritarianism and religious fundamentalism. The tension between capitalism and democracy, the universal morality and ethnic identity have not reconciled. I believe the radical democratic ideal advocated by Habermas is still a valuable ideal of human emancipation, just as Habermas said: the modernity is an unfinished project, but first of all the achievements and advances liberalism has made need to be secured to prevent society from retrogression. This does not mean making a choice between neoliberalism and authoritarianism, but that a new assessment of liberal society’s values and goals is necessary.

I argue that universality has to come before cultural pluralism. We should reclaim the priority of universal human rights to identity politics, social issues to cultural issues, politics of distribution to politics of recognition. It does not mean the latter terms are wrong, it just means the former terms are more important and urgent to liberal democratic society.

In a complex modernity, good things do not come together. If there are conflicts among the desirable values, we have to make choices among them. Today, progressive liberalism must seek out a feasible solution to resist the spread of right-wing populism and authoritarianism around the world, instead of resting on its illusory laurels, even as the world falls into destruction. In past half century, we learned lesson from history that the intention of social criticism and its results often contradict one another. During this period, the progressive new liberalism (the so-called “white left”) has dominated the agenda of left-wing politics, left-wing politics has made a great achievements in political democracy and liberalization of social life, but it is misleading to claim that the “new politics” must replace the “old politics,” or that the “new politics” is the only possible form of progressive politics. Today, it is easier for us to see that liberal politics does not come down to a choice between beating drums or waving flowers. We should rather concede that there are multiple types of progressive politics. Some key concerns of the traditional left, such as economic security, equality, prosperity, and solidarity are just as important as the more contemporary left’s fight for cultural diversity, social inclusion, empowerment, representation and recognition. If the left gives up the requirements of economic equality and social solidarity, there would be little to distinguish new liberalism from neoliberalism.

For today’s Critical Theorists, to take a step back is, in this case, to take two steps forward: only we can succeed in resisting social retrogression, can we start

to setting up the agenda of progress again. I recalled Adorno's notion above that the liberal concept of progress "wants to cut short the triumph of radical evil, not to triumph as such itself." Finally, in these days of crisis for left liberal thought, let us also keep in mind the famous motto attributed to Romain Rolland but taken up and popularized by Antonio Gramsci: "pessimism of the intellect, optimism of the will!"²⁵

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²⁵ Antonio Gramsci, *Selections from Political Writings, Vol. 1: 1910–1920*, ed. Quintin Hoare and Geoffrey Nowell-Smith (London: Lawrence and Wishart, 1977), 188.

INTERVIEW

Karl-Otto Apel

Florian Rötzer

Niezależny badacz

NIE BĘDZIE PLURALIZMU FORM I SPOSOBÓW ŻYCIA BEZ UNIWERSALIZMU ZASAD

WYWIAD Z KARLEM-OTTO APLEM*

Abstrakt

W wywiadzie z Karlem-Otto Aplem, jaki przeprowadził i w roku 1987 opublikował Florian Rötzer, omówionych zostało szereg wątków rozwijanej przez Apla filozofii transcendentalno-pragmatycznej. Wywiad ukazuje, co było przedmiotem głównych sporów i dyskusji prowadzonych w owym czasie przez tego obrońcę rozumu i racjonalistycznej tradycji w filozofii, który występował przeciwko wszelkiemu radykalnemu sceptycyzmowi i znany był przede wszystkim jako filozof broniący tezy o potrzebie i o możliwości dostarczenia uzasadnienia ostatecznego. Karl-Otto Apel wyjaśnia w tym wywiadzie, jak należy tę tezę rozumieć oraz na czym polega ostateczne uzasadnienie transcendentalno-pragmatyczne. W wywiadzie wyjaśnione też zostaje, czym jest argument z performatywnej samozaprzeczalności, który wykorzystywany jest w procedurze ostatecznego uzasadniania. W swych odpowiedziach Apel odnosi się do krytyk kierowanych pod adresem etyki dyskursowej, jej „formalizmu” o kantowskiej proveniencji (krytyk zarzucających temu nurtowi etyki, iż prowadzi do likwidacji różnorodności i pluralizmu); krytyczne uwagi kieruje pod adresem rzeczników postnowoczesności i postmodernizmu. W swych wywodach Apel broni uniwersalistycznej etyki oraz Kantowskiego, czysto formalnego obrazu człowieka jako obrazu, który zarazem stwarza warunki dla kulturowego pluralizmu oraz swobodnego artykułowania niezgody, a także dla poszukiwania konsensu.

Słowa kluczowe

Apel, uzasadnienie, etyka dyskursowa, filozofia transcendentalno-pragmatyczna

* Podstawa przekładu: *Denken, das an der Zeit ist*, red. Florian Rötzer, Frankfurt a. M. 1987, s. 52–75. Redakcja „Folia Philosophica” pragnie podziękować Wydawnictwu Suhrkamp za wyrażenie zgody na opublikowanie polskiego przekładu rozmowy z Karlem-Otto Aplem, zamieszczonej w wydany przez Suhrkamp Verlag w roku 1987 tomie z wywiadami z czołowymi ówczesnymi niemieckimi filozofami: *Denken, das an der Zeit ist*. Tytuł do publikowanego tu wywiadu a także dołączone przypisy dodane zostały przez Redakcję „Folia Philosophica”.

Florian Rötzer: *Zwyczaj się dziś twierdzić, że dostarczenie ostatecznych uzasadnień nie jest w ogóle rzeczą możliwą. Dochodzi do przedziwnych koalicji, w jakie wchodzi z sobą przy tej okazji najprzeróżniejsze kierunki filozoficzne. Pan jednak – idąc pod prąd – jest zdania, że nadal możliwe jest występowanie w filozofii z roszczeniem do ostatecznego uzasadnienia i że dostarczenia ostatecznego uzasadnienia winniśmy się też domagać. Dlaczego?*

Karl-Otto Apel: Transcendentalno-refleksyjne ostateczne uzasadnienie w wypadku filozofii, szczególnie zaś w wypadku etyki uważam rzeczywiście za możliwe i konieczne. Jednak to, co ja przez to rozumiem, ma bardzo niewiele wspólnego z tym, co mają na myśli ludzie, mówiąc o *uzasadnieniu*. Kiedy dziś ktoś mówi o „uzasadnieniu ostatecznym” (*Letztbegründung*), to kojarzy się to z innymi tego typu słówkami, takimi jak, np. fundamentalizm, a wówczas ludzie myślą o Chomeinim lub tego rodzaju ruchach [społecznych – *red.*]; albo też kojarzy się z *filozofią* [wychodzącą od] *tego, co pierwsze*¹, a wówczas przedstawiciele teorii krytycznej, tu, we Frankfurcie, sądzą, że ktoś znów chce uprawiać filozofię w takim jej rozumieniu, jakie odrzucone zostało przez Adorna. Wszystkie te skojarzenia wprowadzają w błąd. Program *ostatecznego uzasadnienia transcendentalno-refleksyjnego* jest właściwie bardzo umiarkowany, przy czym tym słowem również posługuję się niechętnie, bowiem istnieje dziś *topos skromności i umiarkowania*. Wszystkie modne dziś kierunki filozoficzne chcą jednak odznaczyć się skromnością i umiarem, no to i ja się teraz, powiedzmy, do tego dostosowałem. Ostateczne uzasadnienie transcendentalno-refleksyjne to z jednej strony przedsięwzięcie radykalne, z drugiej zaś skromne i umiarkowane w tym sensie, że to uzasadnienie wiążąco ustala tylko jedną rzecz, wskazuje mianowicie punkt – co prawda będący punktem Archimedesowym – do którego filozofowanie może się w każdym momencie odwoływać. Chodzi tu o rzecz, co do której można mieć *pewność* (*Es ist ein Punkt der Gewißheit*), bowiem w sposób sensowny nie można jej poddać w wątpliwość, a zarazem rzecz pozostawiającą jak najbardziej rozległe pole dla fallibilizmu, by posłużyć się słowem, które przywołuje wspomnienie mej długoletniej dyskusji ze zwolennikami Poppera. Jeśli nie uzna się istnienia *dających się w sposób ostateczny udowodnić warunków możliwości fallibilistycznej nauki*, to słowo *fallibilizm* i pojęcia typu *sprawdzenie czy obalenie* tracą swój sens. Jeśli pojęcia te mają

¹ *Ursprungsphilosophie* – termin używany przez Adorna, m.in. w jego krytyce husserlowskiej fenomenologii; por. Theodor W. Adorno, *Zur Metakritik der Erkenntnistheorie*, w: tegoż, *Gesammelte Schriften*, Bd. 5, Frankfurt am Main, Suhrkamp 1990, s. 7–244 (o filozofii wychodzącej od tego, co pierwsze oraz o jej związku z teorią poznania – patrz s. 20–40). W tej adornowskiej krytyce filozofii tego, co pierwsze nie chodzi oczywiście jedynie o filozofię Husserla, tylko o wszelkie postacie filozofii, poczynając od presokratyków, wyprowadzającej całość czy to bytu, czy poznania z tego czegoś, co pierwsze, z tego czegoś, co jest rzekomo początkiem.

być dla mnie *zrozumiałe*, to muszą być dla mnie zrozumiałe określone warunki, które pojęcia te implikują i które można wyartykułować w określonych zdaniach. Na przykład, nie miałyby sensu dalsze mówienie o falsyfikacji, gdyby nie istniało coś takiego, jak prawda, co do której w zasadzie można uzyskać konsens. Istnieje więc, co tu mogę jedynie zasygnalizować, szereg warunków, z uwagi na które program Poppera może dopiero mieć sens. Jeśli byłoby inaczej, jeśli by nie było *kryteriów, co do których jest możliwe ostateczne ich uzasadnienie*, to idąc konsekwentnie za tą myślą, doszlibyśmy do rezultatu, jaki pojawił się u Feyerabenda: że mianowicie nie można już rozróżnić teorii naukowych, baśni, mitów itd., a więc doszlibyśmy do punktu końcowego, do którego nie chcą dotrzeć także zwolennicy Poppera, a który ja uważam za absurdalny. Poprzez refleksję nad warunkami możliwości tego, co się czyni stawiając filozoficzne pytania, dochodzi się do *presupozycji, jakie z konieczności uznaje każdy, kto posługuje się argumentami w sposób poważny*. W porównaniu z wcześniejszymi, racjonalistycznymi programami uzasadnienia to bardzo niewiele, jest to jednak punkt, do którego, jak to już powiedziano, można w każdej chwili powrócić. W czasach współczesnych, w obliczu uprawianej obecnie totalnej krytyki rozumu, uważam to rzeczywiście za nadzwyczaj istotne.

Rötzer: *W filozofii angloamerykańskiej i w filozofii francuskiej krytyka rozumu wiąże się często z ideą radykalnego relatywizmu, a więc z poglądem głoszącym, iż różne formy poznania są równoprawne, ale żadna nie może być sfalsyfikowana przez inną formę. Feyerabend mówi o stylach poznania, spośród których żaden nie jest w stosunku do jakiegoś innego bardziej uprzywilejowany. Czyż logicznym następstwem programu ostatecznego uzasadnienia nie jest próba przedstawienia pewnego wspólnego punktu odniesienia dla wszystkich różnorodnych form dyskursu?*

Apel: Zgodziłbym się o tyle, że w moim mniemaniu nie da się obronić twierdzenia, jakoby istniały jedynie zupełnie niewspółmierne (*inkommensurabel*) gry językowe i formy dyskursu. Gdyby tak było, to nie można by było tego *powiedzieć*. Można wykazać, że postwittgensteinowskie typy relatywizmu, które są bardzo na czasie w antropologii kulturowej, a których teoretykiem został Peter Winch, nie mogą być wyartykułowane bez ciągłego popadania w samozaprzeczenie (*Selbstwiderspruch*). Gdyby rzeczywiście tak było, że forma życia ludu Azande jest całkowicie niewspółmierna z naszą, to wówczas Mister Winch nie mógłby jej zrozumieć i nie mógłby chcieć powiedzieć o niej niczego sensownego. Z drugiej jednak strony, tkwi w tym autentyczne ziarno prawdy: totalności, a więc formy życia postrzegane całościowo, życiowe totalności [widziane] w relacji do konkretnej jednostki [jako obiektu oddziaływania totalności] (*Lebentotalitäten bezogen auf den Einzelnen*), są zawsze gdzieś ze sobą niewspółmierne. Dlatego też dziś nie można uzasadnić

żadnych norm odnoszących się do totalności. Normatywne zasady, choćby etyki, muszą mieć charakter abstrakcyjno-formalny, wówczas pozostawiają one zawsze jednostkom, czy też poszczególnym formom życia, zadanie realizacji ich własnej życiowej totalności, niepodyktowanej przez żadne formalne zasady. Pozostawiony tu jest zatem pewien obszar swobody i to jest właśnie tym, co niewspółmierne. Nie znaczy to jednak, że formy życia jednostek, czy też formy kulturowe są całkowicie niewspółmierne i że nie istnieją żadne nadrzędne zasady (*Prinzipien*), które wobec nich wszystkich zachowują uniwersalną ważność. Gdyby były one całkowicie niewspółmierne, to niemożliwe byłoby ich wzajemne współżycie, nie mogłyby one *realizować swego indywidualnego charakteru (ihre Individualität)* i zarazem jednak ze sobą *koegzystować*. Wówczas nie byłoby również możliwe, by mogły się one *wzajemnie uznawać*, a więc nie mogłoby istnieć *porozumienie* między różnymi istniejącymi w świecie kulturami. A to są problemy, z jakimi jesteśmy współcześnie konfrontowani. Przy tej sposobności powinienem wspomnieć o jeszcze jednej sprawie, odgrywającej obecnie wielką rolę w dyskusji o *postmodernizmie*. Twierdzi się przecież często, że etyka odwołująca się do uniwersalnych zasad, a więc etyka w sensie Kantowskim czy postkantowska etyka dyskursowa miałyby ostatecznie prowadzić do *uniformizacji* człowieka, do pewnego *przymusu*, który niemożliwym czyniłby indywidualną realizację życia, a więc autentyczną realizację szczęścia tak, jak jest ono rozumiane przez jednostki, czy też przez wspólnotowe formy życia. Uważam to za wręcz niebezpieczny błąd w myśleniu. Jest dokładnie odwrotnie. Jeśli chcemy dziś mieć współistnienie, czy też pluralizm autentycznych form życia – [w myśl hasła] „Pozwólmy kwitnąć wielu kwiatom”² – to musimy dysponować właśnie uniwersalnymi zasadami, które czyniłyby możliwym współistnienie tychże różnych form życia. Było to zawsze zasadą funkcjonowania prawa. Jeśli ma być urzeczywistniana wolność dla wielu, to potrzeba takich zasad, które są uznane przez wszystkich. Nie są to oczywiście zasady będące narzuconym odgórnie przepisem na *dobrze życie* czy na *szczęście* – tak jak chciała tego starożytna etyka przed Kantem – lecz *nadrzędne, formalne, proceduralne* zasady, które pozostawiałyby jednostkom znaczną swobodę w realizacji tego, czego się podejmować muszą na własne ryzyko i co musi być wyrazem ich własnej kreatywności, ale co właśnie muszą realizować w pewnych ograniczających warunkach, wyznaczonych przez uniwersalne zasady.

² Sformułowanie to: *Laßt viele Blumen blühen*, przypominająca hasło rewolucji kulturalnej w Chinach (z którego zresztą w Chinach szybko zrezygnowano): „Niech zakwitnie tysiąc kwiatów”, było używane często i bywa używane, m.in. przez polityków niemieckich i austriackich; służy ono wyrażaniu pozytywnego nastawienia wobec pluralizmu.

Rötzer: *Czyżby więc etyka miała być w obrębie dyskursu filozoficznego taką dyscypliną, której przypada w pewnym sensie rola najwyższej instancji?*

Apel: Tego bym tak nie powiedział. Wyobrażam sobie pewne uzasadnienie transcendentально-pragmatyczne, trafiające w punkt jedności rozumu teoretycznego z rozumem praktycznym. Szanse na filozoficzne uzasadnienie stwarza w dzisiejszych czasach *autorefleksyjność dyskursu posługującego się argumentami*; to zaś znaczy: w filozoficznym uzasadnieniu winno dojść do zidentyfikowania i ukazania tego właśnie punktu, który zarówno w wypadku filozofii praktycznej, jak też w wypadku filozofii teoretycznej, na przykład epistemologii czy teorii poznania, jest punktem kluczowym dla przeprowadzanych przez nie uzasadnień.

Rötzer: *To uzasadnienie sytuuje się, rzecz jasna, w obrębie obszaru, którego ramy wyznacza mający miejsce w filozofii „zwrot lingwistyczny” (linguistic turn), autorefleksja bowiem – wedle tego, jak Pan to widzi – bazuje na mającym kondycję językową rozumie, w którego obrębie staje się możliwe identyfikowanie sprzeczności [i samozaprzeczeń] (Widersprüche) i w ten sposób stworzone mogą zostać podstawy do [przeprowadzania] uzasadnień. Samozaprzeczeniowość (Selbstwidersprüchlichkeit) [mogąca wystąpić wewnątrz] argumentacji językowej będzie jednak wówczas kryterium mającym powszechną ważność, kiedy będzie z tego można wyprowadzić pewien rodzaj ontologii wykluczającej samozaprzeczeniowość. Językowe samozaprzeczenia (Selbstwidersprüche) nie muszą jednak koniecznie oznaczać, że to, o czym jest mowa, jest przez to tylko fałszem, że być może samemu sobie zaprzecza. Na przykład Kant mówi o myśli o tym, że jest się zmarłym, że jest to myśl, której w rzeczywistości nie mogą pomyśleć, gdyż jeśli umarłem, to już nie myślę, a jeśli myślę, to jeszcze nie umarłem. Myśl ta prowadzi zatem do samozaprzeczeń i dlatego nie ma dla niej miejsca w obrębie rozumu. Dochodzi przez to jednak do wykluczenia pewnych treści, a efektem zbudowanego na tym ostatecznego uzasadnienia byłaby pewna zredukowana ontologia.*

Apel: Rzeczywiście w swej próbie stworzenia ostatecznego uzasadnienia transcendentально-pragmatycznego wychodzę od kryterium, jakim jest *samozaprzeczenie*, którego należy się wystrzegać. Jest ono według mnie istotnym kryterium ostatecznego uzasadnienia. Wszystko, czego bez popadania w performatywne samozaprzeczenie nie można zakwestionować, może uchodzić za ostatecznie uzasadnione. Stąd też nie można tego uzasadnić z pomocą logiki formalnej w stylu, w jakim dawniej to czynił racjonalizm. Ostateczne uzasadnienie polega na tym, że wykazania niekwestionowalności dokonuje się

refleksyjnie³. Tym samym dochodzi w pewien sposób do przekazania *instruktywnej* wiadomości (*informative Auskunft*) i wykluczone zostaje tym samym wiele z tego, czego nie da się powiedzieć bez popadania w *reductio ad absurdum*. Nie nazwałbym tego jednak uzasadnieniem jakiejś *ontologii*. Zostają przez to wyznaczone pewne formalne i proceduralne zasady, które uznawane muszą być we wszelkim filozofowaniu. Przykładem mogą być cztery roszczenia ważnościowe [nieodłączne posługiwaniu się] mówią: po pierwsze, przedstawianiu przeze mnie argumentów musi nieuchronnie towarzyszyć *roszczenie do sensu*, w czym w zasadzie muszą partycypować wszyscy partnerzy komunikacji, nawet jeśli empirycznie nie dane jest temu sprostać; następnie [przedstawianiu argumentów musi towarzyszyć] *roszczenie do prawdy*, co do którego muszę w gruncie rzeczy zakładać, że można mu uczynić zadość na sposób, jaki jest właściwy sądom, co do których możliwe jest dochodzenie do konsensu; po trzecie [musi temu przedstawianiu argumentów towarzyszyć] *roszczenie do szczerości*, i po czwarte [musi temu] nawet [towarzyszyć] *uniwersalne roszczenie do normatywnej słuszności moich aktów komunikacji*, które to roszczenie musi być, ostatecznie rzecz biorąc, spełniane w wypadku wszystkich potencjalnych partnerów procesu argumentowania. Te cztery roszczenia wraz z założeniem ich zasadniczej spełnialności w idealnej wspólnotie komunikacyjnej są tym, co według mnie zakłada się w sposób konieczny i czego nie można zakwestionować bez popadnięcia w samozaprzeczenie. Płyną z tego konsekwencje zarówno dla filozofii teoretycznej, jak i dla etyki. Najważniejsze są dla mnie obecnie te wynikające dla *etyki*. Ponieważ jednak wprowadził Pan do rozmowy hasło *ontologia*, chętnie powiem coś na temat paradygmatów *filozofii pierwszej*.

To, co onegdaj nazwano ontologią, pojmując ją w duchu Arystotelesowskim, a więc *filozofią pierwszą* rozumianą jako *metafizyka ontologiczna*, nie może dziś już uchodzić, z uwagi na metodę, za filozofię pierwszą. Nie odpowiada to już naszemu współczesnemu poziomowi refleksji. Pierwszoplanowe miejsce nie może dziś też już przypaść *temu*, co po Kartezjuszu, a właściwie po Kancie, aż po Husserla, było transcendentalną filozofią świadomości: temu, iż cofniemy się ku, zasadniczo biorąc, odosobnionej świadomości, żywiącej wiarę, iż mogłaby uprzedmiotowić lub wziąć w nawias cały świat i mimo to pozostać jedynym odosobnionym podmiotem myślenia, który wciąż jednak miałby być zdolny poznawać. Również i to okazało się iluzją. Wprawdzie jest możliwe przeprowadzenie radykalnej refleksji, w sposób, w jaki rozumiał to Kartezjusz czy Husserl, ale nie wiedzie ona ku odosobnionemu *cogito*, które miałyby,

³ Trzeba tu pamiętać o rozróżnieniu, jakim w swej koncepcji posługuje się Apel, pomiędzy „dowodzeniem” (tudzież „dowodem”: *beweisen, Beweis*) a „uzasadnianiem” (tudzież „uzasadnieniem” – *begründen, Begründung*), a konkretnie: pomiędzy *dedukcyjnym* dowodzeniem a *refleksyjnym* uzasadnianiem. Ta ostatnia procedura polega na identyfikowaniu i rekonstruowaniu koniecznych warunków możliwości pewnej praktyki, takiej na przykład, jak komunikowanie się z pomocą języka czy argumentowanie.

zasadniczo biorąc, wyekstraktować się w drodze refleksji z publicznej dyskusji i usytuować siebie poza nią, lecz wiedzie na powrót ku *operującemu argumentami* (*auf den Argumentierenden*), będącemu zawsze członkiem pewnej wspólnoty argumentującej, a tym samym ku owemu punktowi ostatecznego uzasadnienia, który dopiero co naszkicowałem (z czterema roszczeniami ważnościowymi i warunkami spełnialności tych ważnościowych roszczeń). Taki byłby mniej więcej stosunek tej transcendentalno-pragmatycznej koncepcji ostatecznego uzasadnienia czy też [na dzisiejszy sposób rozumianej] filozofii pierwszej do ontologii w rozumieniu przedkantowskim lub do filozofii świadomości w rozumieniu Kantowskim bądź Husserlowskim. W świetle ostatecznego uzasadnienia transcendentalno-pragmatycznego wszystkie te stanowiska jawią się już inaczej, wszystko należałoby zbudować na nowo, przyjmując inną zupełnie optykę. Problemy dawnej ontologii pojawiają się w pewnym sensie ponownie, lecz oczywiście nie w ten sposób, by można było zaprojektować metafizyczny obraz świata, kiedy to pewne podstawowe zasady miałyby być wprowadzane dogmatycznie jako aksjomaty. U mnie nie wprowadza się w takim sensie żadnych aksjomatów, nie buduje się żadnego systemu na modłę dawnego racjonalizmu, lecz wraca się wciąż jedynie do tego, czego nie można zakwestionować bez popadania w performatywne samozaprzeczenie. Wychodząc od czegoś takiego, próbujemy zmierzać ku problemom, które wyłania życie. Bardzo szybko dochodzi się przy tym do hipotez lub do łatwo dających się obalić przypuszczeń, które w każdej chwili mogą zostać skorygowane i wycofane, przy czym jednak – jeśli się już nie da inaczej – można będzie zawsze wrócić do owego punktu, którego nie można zakwestionować bez popadania w samozaprzeczenie. Jest to taki punkt pozwalający doń zawsze powrócić i się doń odwołać (*ein Rekurspunkt*), co do którego można mieć pewność – tym właśnie jest on i niczym więcej.

Rötzer: *Jest to jednak także punkt, w którym początek mają formy radykalnej krytyki rozumu, nie tylko współcześnie, lecz już od czasów romantyzmu, który próbował odejść od hegemonii operującego argumentami racjonalnego dyskursu i wkroczyć w inne obszary doświadczenia, np. tworząc sztukę mającą być organonem poczucia jedności (Einheitssinn) w filozofii. Kryteria [przewidziane w] Pańskim modelu dyskursu mają jednak taki charakter, że na przykład estetyczne czy ekspresyjne formy wyrazu pod nie w ogóle nie podpadają. W jakim stosunku pozostaje ten wszak ograniczony dyskurs racjonalny do innych form dyskursu, czy to takich, jak ekspresyjne bądź estetyczne, czy to takich, które posługując się środkami racjonalnego stawiania pytań, pokazują, że istnieją przyjmowane w teoriach założenia, których z zasady nie sposób uzasadnić ani pojąć intelektem?*

Apel: Znam bardzo dobrze tę totalną krytykę rozumu, z jaką mamy obecnie do czynienia i traktuję ją jako rzeczywiste wyzwanie (*die Herausforderung*) wobec mojego własnego programu, wobec teorii racjonalności i typów racjonalności, wobec próby ostatecznego uzasadnienia transcendentarno-pragmatycznego. Jeśli jednak te próby krytyki występują pod szyldem filozofii – jak to daje się już zauważyć w romantyzmie a w postmodernizmie staje się czymś nagminnym – to wikłają się one w performatywne samozaprzeczenie i uchylają (*heben ... auf*) swe własne roszczenie ważnościowe. Można to już bardzo ładnie wykazać w przypadku Nietzschego, podobnie jak w przypadkach Foucaulta, Heideggera czy Derridy. Nie chcę przez to bynajmniej powiedzieć, że filozofie te niczego nie odkryły, ale zadanie, jakie wówczas natychmiast staje przede mną, jest zadaniem, można by to tak nazwać, filozofii pedantycznej. Zadaniem tym jest takie sformułowanie tego, co zostało odkryte i co szczególnie leży na sercu owej krytyce rozumu, które pozwoli uniknąć tego, iż ona sama dokona zniesienia samej siebie. Wówczas z pewnością już nie będzie chodziło o *totalną* krytykę rozumu, lecz staniemy przed problemem *refleksyjnej autodyferencjacji rozumu* [dokonującej się] właśnie w myśl (*im Sinne*) *teorii typów racjonalności*. Da się wówczas rychło zauważyć, że istnieją określone abstrakcyjne formy racjonalności, które są jak najbardziej słusznie krytykowane. Najlepiej, według mnie, widać to w wypadku Heideggera. Jest zupełnym nieporozumieniem twierdzić, że *logos* zachodniego racjonalizmu jest po prostu identyczny z *logosem* „zestawu” (*logos des Gestells*), ale jak najbardziej sensownym jest twierdzić, że to, co Heidegger nazywa „zestawem” („*Gestell*”) jest abstrakcyjną formą logosu, formą logosu techniczno-scjentyficznego, który w czasach nowożytnych w niebywałym stopniu wysunął się, faktycznie, na pierwszy plan oraz wiódł do wyprowadzania usytuowania człowieka z tego, co zestawione, czyli ze świata kontrolowanego przez technikę, [czyli wiódł] jak to należy rozumieć: do autozmanipulowania (*auch zu einem Stellen des Menschen aus dem Gestellten heraus, also aus der technisch kontrollierten Welt herausführte: in dem Sinne der Selbstmanipulation*). Tu krytyka jest oczywiście jak najbardziej nieodzowna. Ale zakładać możemy jedynie tylko to, że to rozum jest tym, co samo siebie krytykuje. Krytyka nie powinna sama siebie unieważniać (*aufheben*). Jeśli w ogóle jakakolwiek instancja może oddać sprawiedliwość temu, co jest sprawą estetyki, czy też temu, co jest tym, co inne w stosunku do rozumu (*das Andere der Vernunft*) (popędem, temu co spontaniczne, emocjom, kreatywności), to tą instancją jest rozum. Nie można bowiem oczekiwać, że *to, co jest tym, co inne w stosunku do rozumu*, dokona tematyzacji *rozumu*, rozum natomiast może stematyzować to, co względem niego inne. Rozum jako rozum ludzki i skończony musi jak najbardziej mieć to na uwadze (*schon darauf reflektieren*), że jest rozumem zapośredniczonym przez to, co inne wobec rozumu, a więc, że człowiek posiadając rozum nie jest czystym rozumem, lecz że jego roszczenia wobec rozumu są wysuwane w określonych, skończonych

warunkach, zależnie od sytuacji, i że są już wówczas zawsze zapośredniczone przez motywy innego rodzaju: nieświadomość, popędy, także interesy społeczne. *Rozum* musi więc uznać *to, co inne w stosunku do rozumu* i w refleksji zidentyfikować oraz odsłonić to, że konkretne motywy podmiotu rozumności (*des Trägers der Vernunft*) są przez to także zawsze zapośredniczone. Lecz jako filozof pedantyczny, jak się sam chętnie nazywam, widzę obecnie konieczność przeciwstawiania się filozofii pełnej błyskotliwych paradoksów (*der geistreich-paradoxen Philosophie*) i jej roszczeniu do totalnej krytyki rozumu, jak też widzę konieczność sprawdzenia, o co z punktu widzenia zdrowego rozsądku mogłoby chodzić w poszczególnych punktach krytyki. Można to przeprowadzić szczegółowo. Na przykład Habermas uczynił to wzorowo – przynajmniej pod względem formy – w swojej ostatniej książce o „dyskursie nowoczesności”⁴ pisząc o Foucaulcie, Derridzie, Bataille’u. Z tymi tezami należałoby się obchodzić w ten właśnie sposób, to znaczy dokonując hermeneutyczno-rozumiejącej interpretacji, a jednocześnie stawiając mimo to zdecydowany opór w punkcie *reductio ad absurdum*. O tym właśnie i o zamierzeniach wczesnego romantyzmu, które wiodą aż do dzisiejszego dyskursu, nie wypowiedziałem się jeszcze chyba w sposób dostateczny. Można przedstawiać tę kwestię jako kwestię *tego, co estetyczne* i da się akurat tego dokonać, wychodząc od ostatecznego uzasadnienia transcendentualno-pragmatycznego [danego za sprawą] racjonalnego dyskursu. Nie jest bowiem prawdą, że wychodząc od dyskursu, nie zyska się dostępu do wymiaru ekspresji. Jeśli w refleksji zidentyfikujemy i odsłonimy strukturę dialogu, to zobaczymy, że istnieją tu trzy wymiary: po pierwsze przedstawianie (*Repräsentation*) stanów rzeczy w wyrażeniach propozycjonalnych⁵; po drugie, apelowanie, a więc akty komunikacji kierowane ku innym, czyli wymiar świata społecznego; po trzecie zaś, artykułowanie subiektywności czy też własnego wnętrza (*des Ausdrucks der Subjektivität oder der Innenwelt*). Zadziwiające jest przy tym, że te obydwie nie-teoretyczne i nieprzedstawieniowe funkcje języka, te obydwie wymiary: wymiar komunikowania się i wymiar wyrażania samego siebie, nie są w żadnym wypadku jedynie wymiarami, w których występują *symptomy* czy też *sygnały*, jak orzekł to Karl Bühler⁶, lecz wymiarami odznaczającymi się zdolnością do refleksji symboliczno-semantycznej. Mój świat wewnętrzny wyrażam nie tylko poprzez symptomy postrzegane przez kogoś innego, lecz sam mogę skierować ku niemu swą uwagę i mogę np. wyrazić moje roszczenie do szczerości z pełną odpowiedzialnością, wypowiadając zapewnienia. W tym sensie nie są to funkcje

⁴ Jürgen Habermas, *Filozoficzny dyskurs nowoczesności*, tłum. Małgorzata Łukasiewicz, Wydawnictwo Universitas, Kraków 2000.

⁵ Przez wyrażenia propozycjonalne (*propositionale Aussagen*) rozumieć należy sądy w sensie logicznym, czyli zdania, o których można orzekać w kategoriach prawdy bądź fałszu.

⁶ Por. Karl Bühler, *Teoria języka. O językowej funkcji przedstawiania*, tłum. Jan Koźbiał, Universitas, Kraków 2004, s. 37.

wspólne ludziom i zwierzętom, jak twierdzili to jeszcze Bühler i Popper, lecz specyficzne funkcje ludzkie, przynależące do rozumu (*logos*), tak samo jak funkcja wypowiedziania prawdziwościowych sądów, a także funkcja apelatywna związana z roszczeniami natury etycznej i funkcja artykułowania ekspresji (*Ausdrucksfunktion*) związana z roszczeniem do szczerości i autentyczności – wszystkie one współtworzą *logos* języka. Jeśli przyjmiemy to ostatnie za punkt wyjścia, to łatwo dotrzeć można do fenomenu autentycznego artykułowania ekspresji i autentycznego odsłaniania świata, co z kolei prowadzi ku temu, co estetyczne.

Habermas poszedł już tą drogą w swej teorii działania komunikacyjnego. Przyznaję wszakże, że pojawiają się tu trudności, gdyż jeśli punktem wyjścia będzie autentyczne wyrażenie samego siebie, to wciąż jeszcze nie będzie oznaczało osiągnięcia spójności, a tym bardziej piękna dzieła [sztuki – tłum.]. Są to trudności, których Habermas w swych ostatnich pracach również jeszcze nie rozwiązał. Niemniej jednak słusznie się uważa, że od autorefleksji *logosu* argumentacji prowadzi droga otwierająca dostęp do ekspresji (*Ausdruck*). Wcale nie jest tak, jak się sugeruje, jakoby ta szpetna racjonalność była od początku odseparowana od zamierzeń, jakie mają ci, którzy chcą stematyzować fenomeny estetyczne. Jeśli w ogóle miałyby się o tym móc powiedzieć coś sensownego i relewantnego, to zawsze oznaczałoby odesłanie do warunków możliwości argumentowania. Doświadcza się tego czasami w dyskusjach, że ludzie interesujący się tym, co estetyczne, literaturoznawcy i historycy sztuki, chcieliby sami uważać się za artystów lub za takich ludzi, którzy mają do czynienia jedynie z irracjonalną ekspresją, że nie chcą oni dostrzegać tego, że sami naturalnie również argumentują i wysuwają twierdzenia, a więc, że nie są wyrazicielami spontanicznej autoekspresji, za jakich chętnie by się chcieli podawać, lecz że także poddają to refleksji i że chcą wypowiadać sądy wysuwające roszczenia ważnościowe. Nic im nie pomoże: są w tej samej łodzi z tymi, którzy są skazani na operujący argumentami dyskurs, łączący wszystkie dziedziny wiedzy, także nauki humanistyczne i estetykę, z filozofią.

Rötzer: *Problemem dyskursu operującego argumentami jako tegoż medium, w które wpisać by się miały ze swą opór stawiającą specyfiką wszystkie inne formy dyskursu, sposoby życia i sposoby poznania, jest wszak ta okoliczność, że ma on bardzo formalny charakter, tak jak Pan to przecież już wcześniej powiedział. W jaki więc sposób w formalny dyskurs, który wysuwa roszczenie prawdziwościowe, mają się wpisywać treści? Czy relacja pomiędzy aspektem treściowym i formalnym nie jest całkiem dowolna?*

Apel: Skoncentruję się na ostatnim na pytaniu o to, jak formalne dyskursy nabierają treści. Sformułowałbym to w ten sposób: dochodzi do tego, po pierwsze za sprawą nauk, jak to było typowe w czasach nowożytnych, w ten

mianowicie sposób, że filozofia bada te treści pod kątem warunków ich prawomocności. Z drugiej strony, dyskurs filozoficzny wzbogaca się o treści pochodzące ze świata życia. Otóż przedmiotem krytyki kierowanej pod adresem tego abstrakcyjno-formalnego dyskursu jest wspomniana wcześniej przez Pana opinia jakoby dyskurs ów miał rozmijać się z tym, o co właściwie chodzi w życiu. Czemu więc dyskurs filozoficzny musi rzeczywiście mieć abstrakcyjny i formalny charakter? Jeśli chce on bronić roszczeń do powszechnej ważności o typowym dla filozofii charakterze – a chyba musi tak czynić – to musi zapewne pogodzić się z koniecznością pozostania abstrakcyjnym i formalnym. Nie można chcieć jednocześnie jednego i drugiego: mieć nacechowany konkretną treścią indywidualny charakter i występować z roszczeniem do powszechnej ważności, co jest po prostu integralnym elementem tego, co filozoficzne. Są dziś ludzie, którzy chcą usunąć zróżnicowanie dyskursów, nie chcą oni np. zachowania różnic między fikcją literacką a filozofią, czy też między opowiadaniem historyczno-narracyjnym a filozofią. Na przykład Rorty stwierdził, że filozofowie nie powinni pisać tak jak Kartezjusz, lecz tak jak Marcel Proust. Uważam to za nieco absurdałne, gdyż po pierwsze filozofowie tego nie potrafią, a po drugie nie jest to tym, czego nie bez racji oczekują ludzie od filozofów. To jest po prostu inny dyskurs. Być może porównując filozofię i poezję można powiedzieć, jak Hölderlin, że „blisko mieszkają na otchłanią przedzielonych górach”⁷. Ja jednak chęć rozwiązania problemów filozoficznych na drodze mnożenia dyskursów uważam za absurdałną. Większość z nich nie zdaje sobie sprawy ze swoistych przymiotów, jakimi odznaczają się wysuwane przez filozofów formalno-universalne roszczenia ważnościowe, ani też nie zdają sobie sprawy z tego wszystkiego, co trzeba w związku z tym poświęcić.

Przykład przemawiający za koniecznością istnienia formalno-abstrakcyjnych roszczeń ważnościowych został już przeze mnie podany. Jeśli np. chcemy uzasadnić jakąś etykę, to musimy sformułować zasady, które czynią możliwą koegzystencję różnych indywidualnych form życia. Zasady takie mogą mieć jedynie formalno-abstrakcyjny charakter, w przeciwnym bowiem razie byłyby one tym, czym były dawne utopie. Od czasów Platona utopie chciały wszystko konkretnie z góry narzucić, to znaczy narzucić konkretną formę życia, w której człowiek osiągnąłby szczęście, w której realizowałaby się sprawiedliwość i w której panowałaby harmonia. Z tych totalnych, holistycznych roszczeń wynika zawsze zadawanie gwałtu formom życia. Skromność i umiar, jakimi odznacza się filozofia, polega właśnie na tym, że wyznacza takie formalne i proceduralne zasady, które czynią możliwym istnienie przestrzeni dla indywidualnej realizacji życia. Zadaniem filozofii nie jest opisywanie i wy-

⁷ Słowa te przytoczone są za Heideggerem, który nawiązywał tu do Hölderlina *Pathmos-Hymne*; por. Martin Heidegger, *Czym jest metafizyka? Posłowie*, tłum. Krzysztof Pomian, w: tegoż, *Budować, mieszkać, myśleć*, Czytelnik, Warszawa 1977, s. 56.

jaśnianie szczegółów tego, w jaki sposób realizuje się spontaniczność życia i na jakiej drodze doprowadza do nowych twórczych dokonań. Temu służą inne rodzaje dyskursów. Będę wówczas czytał Huizingę – jego „Jesień średniowiecza” – Burckhardta, albo jeszcze lepiej poetów, aby sobie unaocznili niebywałe zjawiska, by unaocznili sobie spontaniczność jednostkowego życia w konkretnie danych warunkach. Wymaganie czegoś takiego od filozofii jest pozbawione sensu, może ona podjąć się wypełnienia jedynie własnego zadania, polegającego na wypowiedzianiu najogólniejszych możliwych sądów na temat warunków życia ludzkiego lub warunków prawomocności ludzkiego poznania.

Rötzer: *Hegel krytykował to formalne kryterium Kantowskiej etyki, twierdząc, że imperatyw kategoryczny bynajmniej nie dyktuje żadnych treści w sposób wiążący. Czy etyka dyskursowa, argumentująca w sposób formalny, może podać stosowne kryteria, które wykluczą możliwość usprawiedliwienia w sposób na wskroś racjonalny całkowicie szaleńczego systemu? Adorno wskazał przecież na to, że np. de Sade wyprowadził „złą” etykę przy pomocy w pełni racjonalnych argumentów. Czy w etyce dyskursowej istnieje argument przeciwko możliwości zastosowania zasad formalnych w sposób „irracjonalny”, a więc czy na przykład istnieje jakiś pryncypialny argument przeciwko morderstwu?*

Apel: W kilku swych przykładach zakładał Kant pewne normy instytucjonalne jako coś oczywistego, jak np. własność prywatną, a następnie wywodził z tego, że nie wolno sprzeniewierzyć depozytu, gdyż doszłoby przez to do uchylenia odpowiedniego prawa, a więc, że nie wolno kraść, gdyż w przeciwnym razie prowadziłoby to do uchylenia prawa do własności prywatnej. Przeprowadzona przez Adorno w *Dialektyce oświecenia*, we fragmencie dotyczącym de Sade’a, krytyka Kanta, jest moim zdaniem absurdalna. Jest ona – podobnie jak krytyka Kanta przeprowadzona przez Foucaulta – wzorcowym przykładem nieporozumienia w kwestii *zasady uniwersalizacji* właściwej etyce *formalnej*. Wprawdzie to nieporozumienie – czy lepiej niezrozumienie – pokazuje, że pilną koniecznością stało się dziś przeprowadzenie nowego uzasadnienia – w ramach filozoficznej teorii racjonalności – namnożonych przez Adorna typów racjonalności: racjonalności formalno-logicznej, racjonalności instrumentalno-strategicznej (mającej istotne znaczenie dla Machiavellego, Hobbesa i de Sade’a) oraz rozumu praktycznego w Kantowskim jego rozumieniu. Na ten temat ukazało się przecież ostatnimi czasy kilka prac Habermasa a także moich. Jedno chciałbym tu zresztą zauważyć: twierdzenie Adorna, że nie jest możliwe „wyprowadzenie z rozumu zasadniczego argumentu przeciwko morderstwu” – argument, jaki podziela z Nietzschem i de Sade’em – pokazuje z nieubłaganą wyrazistością, jak nieodzowną rzeczą jest dzisiaj *ostateczne uzasadnienie transcendentualno-refleksyjne najwyższej zasady etyki*. Ten, kto nie pojmuje argumentu z ostatecznego uzasadnienia (*Letztbegründungsargument*), ten będzie

musiał za wiarygodny uznać również inny argument Adorna i Horkheimera, powtórzony w podobnej formie przez Elizabeth Anscombe i MacIntyre'a, a mianowicie, iż mówienie o prawie moralnym bez założenia boskiego prawodawcy jest pozbawione sensu. Istnieje jednak pewna sytuacja paradygmatyczna, w której w sposób całkowicie wolny musieliśmy już zaakceptować uznanie wszystkich możliwych partnerów w komunikacji za równoprawnione istoty autoteliczne: jest to ta sytuacja niepozwalająca na wyjście poza nią i poddanie jej w wątpliwość (*diejenige unhintergehbare Situation*), w której stawiamy pytanie o ważność pewnej zasady etycznej.

Co się zaś tyczy Hegla, to występując przeciwko Kantowi, miał on, moim zdaniem, w jednym punkcie rację: Kant nie dostrzegł tu rzeczywiście pewnego problemu, ku któremu Hegel celnie skierował uwagę swym pojęciem substancjalnej etyczności ducha obiektywnego. Postkantowska etyka dyskursowa wypełnia pojawiającą się w tym miejscu lukę. Istnieje bowiem faktycznie problem, jak wygląda dochodzenie do konkretnych norm instytucjonalnych, jak na przykład należałoby odpowiedzieć na pytanie, czy ma istnieć bądź do jakiego momentu istnieć ma własność prywatna. W tym miejscu mógłby zadziałać na płaszczyźnie dyskursów praktycznych mechanizm budowania konsensu. Następowaloby to mniej więcej w taki oto sposób: tym, co odgórnie dyktowane przez transformowany w duchu etyki dyskursowej imperatyw kategoryczny, jest przede wszystkim to jedynie, iż wszystkie konflikty mają być rozwiązywane na drodze dyskursu praktycznego i to w ten sposób, że do głosu dochodzą interesy wszystkich zainteresowanych i że zaproponowane rozwiązania pozwalają by miały osiągnąć konsens uznawany przez wszystkich. Zgodnie z zasadą formalno-proceduralną wszelkie dyskursy praktyczne mogłyby się toczyć na wszystkich płaszczyznach, począwszy od tworzenia prawa aż po nieformalne formy dyskursu, w duchu ich aproksymatywnego urzeczywistniania się. Na płaszczyźnie dyskursów praktycznych, w których albo obecni są sami uczestnicy, albo ich interesy są reprezentowane przez występujących w ich imieniu, należałoby wówczas dopiero przedstawić konkretne potrzeby i wiedzę ekspertów o przewidywalnych następstwach. Uwzględniając te informacje o następstwach i skutkach ubocznych oraz biorąc pod uwagę znajomość realnych potrzeb samych zainteresowanych, należałoby dopiero wówczas podjąć decyzje co do konkretnych norm instytucjonalnych. Dyskursy praktyczne są więc tym medium, za którego pośrednictwem możliwe jest zrekonstruowanie tego, co u Hegla założone jest jako etyczność substancjalna oraz zmierzanie ku odbieraniu temu pozorów naturalności. Nie żyjemy już dziś w czasach, w których *to, co zwyczajowo utarte (die Üblichkeiten)* obowiązuje bez żadnego nad tym namysłu. Całkowicie na próżno

Herr Marquard i inni chcą powrócić do *utartych praktyk*⁸. Żyjemy w czasach, w których wciąż potrzebne są *utarte praktyki* i, oczywiście, *normy instytucjonalne*, ale są to też czasy, w których wszystko to otacza splot dyskursów, sprawiający, że wszystko jest przedmiotem potencjalnej krytyki. Nie możemy już tego zmienić. Każdego ranka zaczyna się to już przy czytaniu prasy. Wszystko podlega potwierdzeniu lub zakwestionowaniu w wyniku rozumowego rozważenia (*Räsonnement*) – i to do tego stopnia, że albo idzie się w kierunku utrzymania danego poglądu (*Bewahrung*), albo też w kierunku jego zmiany. Do tego jednak potrzebne są ostateczne zasady proceduralne, określające, w jakich warunkach przebiegać mają dyskursy, które obecnie są na wszystkich płaszczyznach czymś koniecznym do tego, by pracować nad dalszym postępem w kształtowaniu etyczności substancjalnej, tego, co zwyczajowo utarte, konwencji tudzież norm instytucjonalnych. Owe praktyczne dyskursy stanowią mechanizm *zapośredniczenia* pomiędzy *formalnymi pryncypiami* a *konkretnymi potrzebami*, także konkretnymi informacjami, jakie musimy współcześnie posiadać, by móc ponosić odpowiedzialność za decyzje, niezależnie od tego czy będą one dotyczyły składowiska odpadów atomowych, zapłodnienia pozaustrojowego, czy inżynierii genetycznej. Wszystko to jest bardzo skomplikowane i *zapośredniczone*, a to, co teraz o tym mówię, jest zgoła dyletanckie.

Rötzer: *Kant sprowadził swoje trzy wielkie pytania: Co mogę wiedzieć? Co powinienem czynić? Na co mogę mieć nadzieję? do ostatecznego pytania – do pytania, kim jest człowiek? Wydaje się, że Kant był zdania, że także formalna racjonalność winna być zakorzeniona w „obrazie” człowieka rozumnego. Wymierzona w rozum krytyka głosi – by wyrazić to dobitnie i czytelnie – że my w ogóle nie wiemy już, kim jest człowiek, po czemu też pojawiającej się wyraziście heterogeniczności nie da się już zneutralizować w podmiocie, również w podmiocie posługującym się mową. Czy więc racjonalność proceduralna skazana jest na włączenie jej w jakiejś formie w antropologię, czy też może się mieć za od niej całkowicie niezależną?*

Apel: Postawił Pan teraz pytanie dotyczące antropologii filozoficznej, pytanie o istotę człowieka. Już u Kanta odpowiedź na to pytanie nie była taką odpowiedzią, jakiej udzielano na nie choćby w klasycznej filozofii greckiej. Odpowiedź [Kanta] stwarzała znacznie szerszy zakres możliwości, była odpowiedzią wynikającą z transcendentalistycznego podłoża (*von einem transzendentalen Fundament aus*), na którym tym, co z całą pewnością wie się o człowieku, jest już tylko coś bardzo formalnego, cała zaś reszta jest zadaniem [pozostawionym w gestii] samorealizacji człowieka. Kant powiada, że człowiek jest istotą, która

⁸ Por. Odo Marquard, *Apologia przypadkowości. Studia filozoficzne*, tłum. Krystyna Krzemieniowa, Oficyna Naukowa, Warszawa 1994, s. 125–131.

wszystko zawdzięczać winna sobie samej, a więc, że wszystko staje się dla niej zadaniem. U Kanta nie ma już jednoznacznie określonej teleologii jednoznacznie określonego powołania człowieka, która na przykład u Arystotelesa była jeszcze jak najbardziej wypełniona substancjalną treścią, ale są jeszcze pewne warunki możliwości bycia człowiekiem, które Kant zarysował swym złożonym z trzech krytyk systemem. Z tego powodu mógł on pytanie, czym jest człowiek, zestawić z pytaniem, co możemy wiedzieć, co powinniśmy czynić i na co możemy mieć nadzieję. Odpowiedzi płynące z trzech krytyk dają odpowiedź na pytanie o to, jakie będą także w przyszłości warunki bycia człowiekiem. Dają one nadto pewien zarys możliwości samorealizacji człowieka.

Tymczasem uczyniony został kolejny krok w tym kierunku. Ustalenie warunków bycia człowiekiem stało się jeszcze bardziej formalne, jeszcze bardziej transcendentalne. Nie można już wyeksplikować żadnego konkretnego wizerunku człowieka, żadnego jednoznacznie określonego – konkretnego i substancjalnego – powołania człowieka. Tą drogą będziemy musieli pójść jeszcze dalej. Dziś zakres tego, co człowiek może z siebie uczynić, stał się dużo szerszy, choćby technika i nauka rozszerzyły te możliwości. Człowiek może dziś na przykład zmienić swój kod genetyczny. Zadaniem człowieka staje się wówczas określenie, kim on sam być powinien. Następnie jednak, w sposób jeszcze bardziej radykalny pojawia się konieczność rozróżnienia pomiędzy empiryczną realizacją a formalno-transcendentalnymi warunkami bycia człowiekiem. Dla wielu jest to bardzo nieprzyjemne i niemiłe, podobnie jak cały ten powrót do warunków formalnych. Chcieliby oni pozostać gdzieś pośrodku, gdzie w zasięgu wzroku są konkretne formy życia. Nasz los zdaje się prowadzić w innym kierunku. Jeśli niebawem miałoby być tak, że będziemy także decydować o biologicznych warunkach naszego człowieczeństwa i będziemy mogli nimi manipulować poprzez ingerencję techniczną, to wówczas jeszcze bardziej cofniemy się ku warunkom bycia człowiekiem, które ewentualnie mogłyby nam dać do ręki *normy służące odpowiedzialnemu kształtowaniu siebie*.

Już dziś jest to widoczne w takich drobnych sprawach, jak ta, że np. bez specjalnych przeszkód będziemy mogli wpływać na procentowy udział kobiet i mężczyzn w następnych pokoleniach ludzkości. Nieprzyjemnym problemem będzie fakt, że stosunek 50% do 50% nie będzie już miał swego źródła w naturze. Wówczas pojawi się nowy problem *odpowiedzialnej regulacji*. Jest to tylko drobny przykład na to, iż współcześnie będziemy konfrontowani z wciąż nowymi problemami odpowiedzialnej regulacji – aż po jurydyzację – co rozwiązywać będą musiały komisje etyczne. Cóż innego można w tej sytuacji uczynić, niż w obliczu wciąż rozszerzającego się zakresu odpowiedzialności i wciąż rosnących możliwości samorealizacji powrócić ku temu, co składa się na warunki bycia człowiekiem, przez co rozumieć należy, że jeśli ulegną one naruszeniu, to człowiek zniszczy samego siebie. Z tym ostatnim mielibyśmy do czynienia, jeśli naruszeniu uległyby także określone warunki, które stają się

coraz bardziej formalne. Z chwilą, gdy zaczynamy mówić o tym [jedynym prawdziwym] wizerunku człowieka (*dem Menschenbild*), jesteśmy zmuszeni do rezygnowania z określonych wizerunków człowieka, przynależnych konkretnym formom życia i skupienia się na warunkach bardzo formalnych.

Rötzer: *Czy to, czego się podejmuje etyka dyskursowa – jeśli formułuje się to w powyższy sposób – nie ma charakteru skrajnie utopijnego? Czy sensownie pomyślana etyka dyskursowa nie musiałaby – jeśliby następstwem rozwoju technologii miałyby być uniemożliwienie bycia człowiekiem – także innych norm dla rozwoju nauki, gdyż w przeciwnym razie mogłaby ona rozpatrywać tylko to, co się już faktycznie przebiło i zrealizowało?*

Apel: Po pierwsze, wypowiedziałbym się przeciwko stosowaniu słowa *utopia* w przedstawionym przez Pana sensie. Droga *utopii* jest najbardziej odległą od drogi *etyki dyskursowej*. Państwo Platona było pierwszą próbą rekonstrukcji z filozoficznego punktu widzenia prostej moralności substancjalnej, zakwestionowanej przez sofistów i Sokratesa; i jest to rekonstrukcja totalitarna, stanowiąca całościowy projekt mający zapewnić szczęście jednostki i społeczeństwa, harmonię i cnotę [realizowane w ramach] jednej tylko, konkretnej formy życia. Jest to droga *utopii*, którą prześledzić można w całej zachodniej historii utopijnych państw i którą odnajdziemy w koncepcjach takich, jak Lenina czy Mao. Tu mamy [Platońskich] królów-filozofów, natomiast współczesne wielkie totalitarne porządki wschodnie to porządki życia (*Ordnungen des Lebens*) – i to nawet funkcjonujące. Są to realizacje takiej właśnie utopijnej koncepcji, w której holistycznie, jednolicie ma być uregulowane całe życie, a jednostka wraz ze swą formą życia ma być włączona w tę platońską celowość. Porównanie szczegółów platońskiego systemu z konstytucją i systemem pedagogicznym w Związku Radzieckim byłoby zadaniem niezwykle pociągającym. Byłoby to obecnie oczywiście zadanie dla filologów. Problemu utopijnego państwa nie chciałbym jednak postrzegać jedynie w kontekście polemicznym, jest bowiem w tym coś wspaniałego, jeśli się na to patrzy retrospektywnie. To całkiem zrozumiałe, że pierwszy myśliciel, który by uczynił swym zadaniem rekonstrukcję etyczności substancjalnej, poszedłby drogą *utopii* państwa i społeczeństwa. Obecnie możemy powiedzieć, że jest to niebezpieczne i że nie jest to droga dyskursu i komunikacji, lecz droga ubezwłasnowolnienia wszystkich przez jednego, który dobrze zorganizuje państwo dla wszystkich.

Drugie zaś podejście uwzględnia cały zakres dyskursu, to znaczy przedstawianie wszystkich potrzeb przez samych zainteresowanych oraz przedyskutowywanie do końca wszystkich problemów. Wraz z tym podejściem etyki dyskursowej położone też zostają filozoficzne podstawy dla wszelkich procesów demokratycznych. To w przypadku tego podejścia w coraz mniejszym stopniu może być odgórnie zalecane to, co ma charakter substancjalny, ale mimo

to natykam się na sformułowania, których i Pan właśnie ponownie użył: że filozofia nie mogłaby wówczas powiedzieć nic więcej i wszystko pozostawiłaby w gestii innych sił. To nieprawda. Jest przecież bardzo wiele rzeczy, które narzuca *zasada dyskursu*. Także instytucjonalna realizacja *warunków dyskursu praktycznego*, w których wyartykułowane zostają potrzeby i w których uwzględnia się następstwa i skutki uboczne proponowanych norm, które formułuje się w celu rozwiązania konfliktów, nie jest przecież jakąś błahostką. Dyrektywa, którą zawiera zasada naczelna, wcale nie jest *pozbawiona treści*, w pewnym sensie nie jest ona także pozbawiona substancji, tyle tylko, że treść ta obecna jest na wysokim stopniu refleksji, tą treścią jest mianowicie ciągle branie pod uwagę warunków idealnej wspólnoty komunikacyjnej jako ramowego warunku dla rozwiązania wszystkich konkretnych problemów. Wynika z tego szereg ustaleń normatywnych, które sięgają aż tak daleko, iż żąda się od jednostki zinternalizowania zasady etyki dyskursowej także w przypadku samotnego działania, żąda się np. zastanowienia nad tym, do czego zobowiązana jest ona wobec zniechęconego wujka, który już nie może mówić. Jest to charakterystyczny przykład, jaki zawsze podaje się przeciwko nam, gdyż w tym przypadku etyka dyskursowa miałaby nie mieć nic do powiedzenia. Jest to jednak całkowicie błędne, gdyż należy sobie teraz jedynie zadać trud przeprowadzenia eksperymentu myślowego: należy sobie mianowicie wyobrazić, czego życzyłyby sobie w odpowiednim dyskursie stary wujek, gdyby mógł mówić i wyartykułować w zadowalający sposób swoje potrzeby. Kohlberg określa tutaj dokładniej miarodajne kryterium sprawiedliwości jako „pełną odwracalność *role taking*”. Dla etyki dyskursowej tego rodzaju eksperyment myślowy będzie w porównaniu z rzeczywistym porozumieniem się ze wszystkimi oczywiście zawsze rozwiązaniem gorszym.

Jest to procedura, która musiałaby uwzględnić wszystkie owe stopnie, o których mówiłem. Ale tego typu formalne postępowanie nie jest całkowicie pozbawione substancjalnej treści. Mówienie czegoś takiego budzi całkiem błędne wyobrażenia, albowiem naczelna zasada etyki dyskursowej uzasadnia przecież ograniczające warunki dyskursowego rozwiązywania problemów, np. nadchodzącego upowszechniania koncepcji „komisji etycznych”, których powoływanie konieczne jest do tworzenia nieformalnych instytucji asystujących badaniom, nauce oraz technice, w których to instytucjach odpowiedzialność zbiorowości w obszarze nauki i techniki wpasowana by miała zostać w organizacyjne ramy. Wszystko to jest współokreślane przez zasadę naczelną, ale oczywiście nie tak, jak to się przedstawia na archaiczną modłę, a mianowicie poprzez bezpośrednie określenie cnót czy też obowiązków w konkretnie danych warunkach (*vor Ort*). Należy także przewyciężyć dawny pogląd, że za wszystko odpowiadać musi sam podmiot działania. W pełni słuszne jest, tak jak się to dziś często mówi, iż jednostka nie może przejmować odpowiedzialności za nieprzewidziane skutki kolektywnych działań naszych przemysłowych

społeczeństw, a więc np. za zanieczyszczenie rzek, czy też powietrza. Jednostka jest w tej sytuacji, że tak powiem, bezsilna. Jeśli wyjdzie się od *metodycznego solipsyzmu*, czego następstwem byłoby stosowanie zasady odpowiedzialności w odniesieniu do każdej jednostki oddzielnie, to wówczas konieczne byłoby stworzenie nowego projektu utopii. Rzeczą konieczną jest jednak coś zupełnie innego: jednostka musi stale uwzględniać fakt, że jest częścią znajdujących się w trakcie realizacji kolektywnych przedsięwzięć; że zawsze już jest ona zaangażowana w dyskursy. Kiedy czyta co rano gazetę, to wówczas orientuje się, w jaki sposób może się angażować na miarę swych sił i kompetencji na wielu płaszczyznach organizowanej w dyskursach kolektywnej odpowiedzialności. To właśnie jest tym, co dziś możliwe i konieczne, jeśli w ogóle mamy szansę na realizowanie etyki odpowiedzialności. Wszystkiego tego nie ustalają już *utarte zwyczaje* w taki sposób, w jaki było to możliwe do pomyślenia w czasach Arystotelesa. Z tego względu także, niewiele warte jest to, co na temat *tego, co zwyczajowo utarte* czy na temat *phronesis* mają dziś do powiedzenia neo-arystotelicy. Nie zajmują się oni po prostu aktualnym problemem makroetyki odpowiedzialności w społeczeństwach uprzemysłowionych w obliczu kryzysu ekologicznego. Właściwie dlaczego z *ponowoczesnością* i *postmodernizmem* nie wiąże się przed wszystkim treści wynikającej z tego, że stawia się pytanie, czym jest dziś to, co całkiem nowe? Co z całej sytuacji światowej jest dziś tak nowe, że wykracza poza to wszystko, co w nowożytności uważało się za położenie człowieka? Jest przecież kilka rzeczy całkiem nowych. Po raz pierwszy np. posiadamy potencjalne możliwości by zniszczyć ekosferę, która utrzymuje przy życiu nas ludzi i wiele gatunków istot żywych. Gdyby z tym powiązało się pojęcie ponowoczesności, to nie miałbym nic przeciwko niemu, ale to, co osobliwe, to fakt, że wiąże się je z zupełnie innymi rzeczami i przy tym dyfamuje się to, co w ogóle daje nam jedyną szansę reagowania dziś na rzeczywiste sytuacje kryzysu. Rozwijanie etyki odpowiedzialności jest tym, co całkowicie Nowe, tym czego się domagamy. W tym miejscu należałoby, że tak powiem, uzasadnić etykę postnowoczesną. Byłaby to wówczas etyka odpowiedzialności w sensie etyki dyskursowej, ta znowu musiałaby sięgać do podstaw, które zostały wiążąco ustalone w klasycznej filozofii transcendentnej, np. przez Kanta. Czymś najgorszym byłaby wiara w to, że *zasady uniwersalne* byłyby tutaj zbędne i że można by było powrócić do etyki indywidualnego kształtowania swego życia, a więc do etyki stawiającej stare pytanie, jak osiągnąć szczęście. Nadal stawiam to pytanie, ale przesunęło się ono na drugi plan. Pytanie pierwsze brzmi: jak to możliwe, że ludzie i formy życia mogą wzajemnie koegzystować w sytuacji, gdy każdy na swój sposób dążyć ma do autentycznej realizacji swego życia. Uniwersalne zasady Kanta udzielają tej odpowiedzi.

Rötzer: *Liotard wiąże pojęcie ponowoczesności z przemianami, które nastąpiły wraz z pojawieniem się nowych technologii, w ten mianowicie sposób, że obecnie nastąpiła zasadnicza zmiana stosunku człowiek-natura. By wyrazić to w sposób klasyczny – człowiek jest pierwotnie jakby otoczony drugą naturą, formami sztucznie ukształtowanej rzeczywistości, wymagającymi innych kategorii niż te, które były sformułowane w przeszłości w odniesieniu do tego, co mogło być uznane za rzeczywistość. Być może aż do tego stopnia znajdujemy się w okresie przejściowym, iż kiedy mówimy o rzeczywistości czy iluzji, nie wiemy już, o czym mówimy.*

Apel: Chodzi o rzeczy bardzo różne, które zostały powiedziane przez Lyotarda, Derridę czy też Foucaulta. Wiele jednak z tego, co się rozpowszechnia, jawi mi się jako coś w najwyższym stopniu osobliwego. Między innymi Lyotard polemizował w różnych miejscach z *konsensualną teorią prawdy* i z *konsensualną teorią dyskursu etycznego* w takich ich wersjach, w jakich reprezentowane są one przez Habermasa i przeze mnie. Argumenty przy tym stosowane są tak śmieszne, że w ogóle nie mogę ich zrozumieć. Mówi się na przykład, jakoby dążenie do uzyskania czegoś takiego, jak konsensus stało w sprzeczności z rozmaitością gier językowych i dyskursów i że o wiele bardziej należałoby dążyć raczej do dyssensu, by mogły pojawiać się przede wszystkim innowacje, gdyż to miałyby być tym, co istotne. Są to przecież pół- czy ćwierćprawdy. Myślą centralną teorii konsensu w ramach etyki dyskursu jest przecież stwierdzenie, że do osiągnięcia konsensu dąży się w warunkach pełnej swobody, a co za tym idzie, tak czy inaczej, dochodzi naturalnie do dyssensu (*Dissens*). Dyssens i konsensus tworzą przeciwieństwo. Jeśli chciałoby się zorganizować dyskursy, w których dążyłoby się nie do uzyskania konsensu, lecz do dyssensu, to wówczas nie byłyby to prawdziwe spory na argumenty. Coś podobnego zaproponował np. Herr Marquard jako rodzaj dyskursu estetycznego, w którym w ogóle nie dochodzi się już za pomocą argumentów do zgody co do tego, lecz w którym od początku przewidziane jest, że „rozkwitnie wiele kwiatów”. Gdyby na coś takiego przystać, to wówczas zaprzepaścilibyśmy to, co stanowi istotę. Ani nie byłby to już poważny dyskurs, ani nie byłoby to uprzejme. Jeśli dyskutuję z jakimś człowiekiem i mówię mu, no dobrze, powiedz czego chcesz, a ja powiem czego ja chcę i potem „rozkwitnie wiele kwiatów”, to dążeniem naszym nie jest wcale przejście od różnicy zdań do uzyskania konsensu. Byłoby to przecież absurdalne. Każdy interes wypadłby poza ramy dyskursu, a i ja także nie traktowałbym już partnera poważnie. Uważam za coś niegodnego człowieka, by dać poznać, że nie jest się zainteresowanym polemiką. Jest rzeczą oczywistą, że nigdy nie osiąga się definitywnego, pełnego konsensu. Wiemy to wszyscy z doświadczenia. Tym, co faktycznie jest nam częstokroć dane, jest dyssens co do *sensu* wypowiedzi, ale nie może to w niczym zmienić faktu, że jesteśmy skazani na to, by dążyć do konsensu ponad różnicami poglądów i konfliktami, szczególnie w sferze etycznej, prawnej i politycznej. Byłoby nieskończenie

wielkim osiągnięciem, gdybyśmy przynajmniej mogli zastąpić taki typ dyskursu jak rokowania, w którym główną rolę odgrywają groźby i zachęty, typem dyskursu posługującego się argumentami, w którym rola wiodąca przypadłaby potrzebom i usprawiedliwionym interesom. Jak wiadomo politycy udają, że tak jest. W mediach muszą przecież wywoływać wrażenie, jakby wszystkie te niezliczone konferencje miały już taki charakter, przy czym wiemy oczywiście, że najczęściej mają one charakter rokowań. W wypadku stanowisk reprezentowanych przez Lyotarda i w innej formie przez Marquarda mamy do czynienia z zupełnym niezrozumieniem właściwej intencji znaczeniowej [pojęcia] dyskursu, jaka przyświeca Habermasowi i mnie – być może nie została ona nawet przeanalizowana. Celem wolnego od przemocy dyskursu jest właśnie ujawnienie wszelkich momentów spornych w interesie uzasadnionego budowania konsensu, nigdy zaś ograniczanie ich ujawniania, czyli na przykład przeszkadzanie temu środkami nie-argumentatywnymi. Tym ostatnim byłaby metoda dyskursu autorytarnego, który rzeczywiście byłby, by powiedzieć to za Foucaultem, ekspresją władzy. Wiemy doskonale, że istnieją tego rodzaju dyskursy, ale wiemy, że mogą istnieć, przynajmniej zgodnie z istniejącą tendencją także inne rodzaje dyskursu. Dyskursy, będące nie tylko wyrazem żądzy władzy, względnie ścierania się systemów władzy, lecz takie, w których rzeczywiście są reprezentowane poglądy i potrzeby zainteresowanych, są tym, do czego należy dążyć we współczesnym świecie. Określają one jedyne humanitarne sposoby poszukiwania rozwiązań w przypadku istniejących przecież prawdziwych różnic poglądów między różnymi dążącymi do utwierdzenia własnej pozycji systemami, a więc grupami, państwami i społeczeństwami. Dyskursy te nie mogą być zastąpione przez jakiegokolwiek działania estetyczne, w których nie chodziłoby już o wykształcenie konsensu, lecz po prostu o rozwinięcie wielu wątków, także możliwie jak najbardziej egzotycznych. Pewne konwersacje czy rozmowy przy herbacie mogą naturalnie mieć taki charakter i nie mam nic przeciwko temu. To estetyczne dążenie nie może przecież jednak być na serio zaproponowane jako surogat dla uregulowania naszych rzeczywistych różnic poglądów i konfliktów, do jakich dochodzi we wszystkich dziedzinach w łonie społeczeństwa światowego, w którym codziennie chodzi o współpracę przy rozwiązywaniu naglących problemów. Do tego potrzebujemy formalno-proceduralnego wzorca kształtowania dyskursów, w których wprawdzie dąży się do uzyskania konsensu, ale w których także dozwolony jest dyspens w możliwie jak najwyższym stopniu.

Rötzer: *W przypadku tego rodzaju teorii problemem zdaje się jednak być przejście między teorią i praktyką. Wypracowanie idealnej teorii dyskursu to jedno, ale jak jednak należałoby ją przekształcić i stosować w sferze praktyki?*

Apel: Jest rzeczą oczywistą, że należy zawsze czynić rozróżnienie pomiędzy normatywnym idealnym uzasadnieniem, o jakim mówi teoria dyskursu, czy też odpowiadająca jej etyka, a ich realizacją. Ale należy pamiętać, że jest to niezwykle skomplikowany problem. *Etyka odpowiedzialności* musi tu stawić czoło trudności, która nie jest uwzględniana w większości systemów filozoficznych i etycznych odwołujących się do zasad. Wprowadzone przez Maxa Webera rozróżnienie między *etyką odpowiedzialności* a *etyką sumienia* bardzo dobrze ujmuje ten fenomen. Filozofowie mają często skłonność do lekceważenia tego. Jest to niezwykle poważny problem, którego nie dostrzega wielu marzycieli ze współczesnych ruchów pokojowych. W zasadzie nie możemy bowiem nigdy liczyć na to, że na przykład jutro rano o dziewiątej, będziemy mogli uczynić *rozumny nowy początek*, rozumiejąc przez to zaakceptowanie przez wszystkich idealnych zasad (*Idealprinzipien*). Widać tutaj, że musimy – myśląc teraz kategoriami Hegla – nawiązać do historii i brać pod uwagę historyczne odniesienia sytuacji (*die Geschichtlichkeit der Situation*). Musimy zbudować przejście pomiędzy prawomocnością zasady a jej zastosowaniem w świecie, w którym np. nie można liczyć na to, że ludzie byliby zdolni, czy też chcieliby rozwiązywać swe konflikty w oparciu o zasady etyki dyskursowej. Żyjemy w świecie, w którym istnieją różne systemy zorientowane na utwierdzenie własnej pozycji, np. państwa, ale także poniżej poziomu państwa grupy gospodarcze czy społeczne; wreszcie jednostki, które są też zawsze takimi systemami zorientowanymi na utwierdzenie własnej pozycji i należałoby być na tyle szczerym, by wiedzieć o tym nawet na kongresie filozoficznym, na którym każdy uczestnik jest jeszcze jednym małym systemem zorientowanym na utwierdzenie własnej pozycji, który gdzieś w swej głowie ma swoją własną strategię. W takim świecie ma więc znaczenie aproksymatywne przydawanie ważności zasadom etyki dyskursu. Konieczne są do tego określone zasady dodatkowe, które nazywałbym zasadami etyki odpowiedzialności.

Oczywiście można teraz ponownie operować takimi pojęciami, jak Kantowska władza sądenia czy Arystotelesowska *phronesis*, ale terminy te przysłaniają raczej problem zastosowania makroetyki do współczesnego społeczeństwa światowego. Aktualnych problemów nie da się porównać z problemami zastosowania etyki konwencjonalnej, gdyż stoimy przed zagadnieniem realizacji przynajmniej w pewnym minimalnym stopniu konkretnych zasad etyki na płaszczyźnie planetarnej i międzynarodowej. Wchodzą tutaj w grę konieczne regulatywne zasady politycznej etyki odpowiedzialności. Chodzi o to, by zbudować pomost między racjonalnością dyskursów budujących konsens a racjonalnością strategiczną, także racjonalnością systemową w rozumieniu Luhmanna. Nie można powiedzieć, że jest to jedynie zadaniem polityków, lecz że w tym sensie każdy jest po trosze politykiem. Wyobraźmy sobie konkretne problemy, choćby problem matki żyjącej w rodzinie w Irlandii Północnej czy też w Libanie, gdzie nie są

zapewnione normalne stosunki prawne i wciąż jeszcze codziennie staje się w obliczu walki o przetrwanie. Jak w tych warunkach być dalej moralnym? Jest to problem możliwości wymagania od innych etyczności, co między innymi poruszał Berthold Brecht. Oczywiście i na to trzeba mieć odpowiedź, ta zaś może mieć jedynie bardzo formalny charakter. Chodzi mi przede wszystkim o to, by w tym miejscu nie dać za wygraną – pokusa ta pojawiałaby się natychmiast – i nie stwierdzić, że znów widać tutaj całkowitą bezsilność wszystkich zasad, że nie możemy uczynić niczego innego niż pozwolić panować zdrowemu rozsądkowi, jak to proponuje Mister Rorty: *I'm just an American*. Były to jego ostatnie słowa podczas pewnej dyskusji etycznej w Wiedniu. Zapytałem go wówczas: „Czy mogę po prostu tak powiedzieć: «I'm just a German». Odnosił się Pan do Dewey'a, ale Dewey dysponował oczywiście uniwersalnymi zasadami prawa naturalnego, prawami człowieka, traktowanymi jako ukryta w tle, samo przez się oczywista podstawa. Gdybym to ja powiedział, to mógłby Pan wówczas spytać, co to znaczy. Czy chodzi tu o «zdrowe poczucie narodowe», *common sense*, jaki mieli posiadać Niemcy między rokiem 1933 a 1945?” Przynajmniej my Niemcy nie możemy sobie pozwolić na tego rodzaju powrót do *common sense*. Jesteśmy zmuszeni do namysłu nad tym w świetle zasad. Stanowi to swego rodzaju korzyść. Nie mam zrozumienia dla „rozstania z pryncypiami”⁹. Zdecydowanie najgorszym w naszej dzisiejszej sytuacji międzynarodowej mogłoby być urzeczywistnienie owego rozstania z pryncypiami w znaczeniu cofania się ku potoczności bądź ku zdrowemu rozsądkowi różnych społeczno-kulturalnych grup.

Wracając jednak do naszego problemu. Chodzi o to, by dokonać, mającego ugruntowanie w zasadach, zapośredniczenia między uznaną zasadą etyki dyskursowej i konkretną sytuacją człowieka w świecie, konkretną *conditio humana*. Aby mogło dojść do zapośredniczenia między racjonalnością strategiczną a racjonalnością dyskursową, potrzebna jest *zasada regulatywna*. Owa regulatywna zasada, by ująć to w sposób najprostszy, postuluje, iż zawsze powinniśmy, współpracując z innymi, zabiegać o kształtowanie takich warunków, w których łatwiej niż dotychczas dałoby się rozwiązywać konflikty na drodze wzajemnej komunikacji i dążenia do konsensu, warunków, w których rozwiązania oparte na użyciu przemocy lub będące wynikiem rokowań, wsparte na nakazach bądź groźbach, mogłyby być zastąpione przez takie, które zakładają osiągnięcie dyskursowej zgody co do usprawiedliwionych roszczeń uczestników sporu. Jest to idea regulatywna w dobrym kantowskim stylu, o której Kant mówi, że żadna treść empiryczna nie może jej w pełni odpowiadać. Zawsze tak będzie. Kant jednak mówi o niej także, iż ona mimo to obowiązuje. Wielu ludzi może oczywiście dostrzegać tylko dwa alternatywne wyjścia: albo urzeczywistnienie

⁹ Por. Odo Marquard, *Rozstanie z filozofią pierwszych zasad*. *Studia filozoficzne*, tłum. Krystyna Krzemieniowa, Oficyna Naukowa, Warszawa 1994.

idealnych zasad musi być możliwe w taki sposób, jak oczekiwali tego studenci w roku 1968, czy dawne ruchy chiliastyczne: rano wyruszamy w góry, wkładamy białe koszule, a Królestwo Boże nadejdzie. Inną możliwością byłaby całkowita frustracja bądź rozczarowanie i podążenie w kierunku cynizmu. Rzeczywista sytuacja wymaga jednak byśmy wytrwali pomiędzy tymi biegunami opierając się na regulatywnych zasadach idealnych. Oto niesłychana aktualność Kanta, oto styl tego myślenia zorientowanego na zasady formalne i idee regulatywne, oto rozmach uniwersalistycznej filozofii. Jest on obecnie potrzebny bardziej niż kiedykolwiek.

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**THERE WILL BE NO PLURALISM OF FORMS AND WAYS
OF LIFE WITHOUT UNIVERSALISM OF PRINCIPLES
INTERVIEW WITH KARL-OTTO APEL**

In an interview with Karl-Otto Apel, conducted and published by Florian Rötzer in 1987, a number of issues of Apel's transcendental-pragmatic philosophy were discussed. The interview presents what was the subject of the main debates conducted at the time by this defender of reason and rationalist tradition in philosophy, who spoke out against all radical scepticism and was known above all as a philosopher defending the thesis of the need and the possibility of providing ultimate justification. Karl-Otto Apel explains how this thesis should be understood and what the transcendental-pragmatic ultimate justification consists of. The interview also expounds what is the argument of performative self-contradiction that is used in the final justification procedure. Apel refers to the critics directed at discourse ethics, its "formalism" of Kantian provenance (critics that accuse this current of ethics that it leads to the elimination of diversity and pluralism); his critical remarks are directed at the advocates of postmodernity and postmodernism. Karl-Otto Apel defends a universalistic model of ethics and a Kantian, purely formal image of man as an image which at the same time creates conditions for cultural pluralism and free articulation of dissent, as well as for the search for consensus.

Keywords

Karl-Otto Apel, justification, discourse ethics, transcendental-pragmatic philosophy

