

Article

## Habermas, Discourse Ethics, and Normative Validity<sup>1</sup>

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**Abstract:** This paper is an exploration of Habermas' critical reconstructions of the problematic of rationality via critical theory's critique of instrumental reason. It brings together several key ideas ranging from the dialectic of instrumental reason and how it leads to epistemological dissonance to the discursive redemption of the normativity of reason. It sketches, as a concluding reflection, whether or not his ideas may be situated within the larger methodological trajectory of Philippine social science research. The paper thus considers the concepts of discourse, discourse ethics and normative validity as crucially important.

**Keywords:** Habermas, instrumental reason, discourse ethics, normative validity

### Introduction

Let me begin with a rather misleading premise. Jürgen Habermas is no friend to enlightenment dialectic and its conception of reason and rationality. Habermas for example, avers that the process of enlightenment mutilates reason.<sup>2</sup> On the one hand, the dialectic of enlightenment reduces reason to a mere instrument. On the other hand, it disparages reason by transforming it into a kind of power, stripped of its intrinsic capacity for validity claims. The mutilation of reason, in this sense,

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<sup>1</sup> This paper is a revised version of my graduate seminar essay in Social and Political Philosophy. I owe my appreciation of Jürgen Habermas to Dr. Zosimo E. Lee and Dr. Armando Ochangco. Although it came to me like baseball hard knocks, it reflects the kind of academic nourishment I received from them. I thank the anonymous reviewers for their constructive comments and charitable reading of this paper. I am grateful as well to David Ingram, Hugh Baxter and Andrew Edgar for their instructive suggestions. I thank Ms. Peachy Araza, a colleague at CLSU for the random occasions of discussion on *Politeismo*.

<sup>2</sup> See Jürgen Habermas, *The Philosophical Discourse of Modernity*, trans. by Thomas McCarthy (Cambridge, UK: Polity Press, 1987), 111.

is its reduction to functional or instrumental rationality, devoid of any reflective capacity of its own.

The sort of enlightenment dialectic Habermas detests here however is directed at the mounting pessimism<sup>3</sup> on the prospects of enlightenment apparent in the writings of Max Horkheimer and Theodor Adorno. In *The Dialectic of Enlightenment* and other important works, both thinkers for example, suggest what is otherwise held as a sweeping thesis concerning modernity or the impasse of enlightenment:<sup>4</sup> In the preface to the *Dialectic*, Horkheimer and Adorno remark at one point: “Myth is already enlightenment, and enlightenment reverts to mythology.”<sup>5</sup> The enigmatic use of myth here suggests the ironic character, if not the dreadful double-bind, of enlightenment.<sup>6</sup> Instead of delivering what it initially promises, its *raison d’être*—human autonomy and freedom from fear—the process of enlightenment, which is purportedly rational, brings forth reification, domination and repression of individuals on one hand and of society on the other hand.<sup>7</sup>

Pace Horkheimer and Adorno, and how they both portray the process of enlightenment as essentially one of startling apotheosis,<sup>8</sup> Habermas seeks to show, despite such mounting pessimism, that it is also a

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<sup>3</sup> Shane Phelan for example frequently talks about this *pessimism* in explaining the dynamics of interpretation between Adorno, Habermas and Lyotard in “Interpretation & Domination: Adorno & the Habermas-Lyotard Debate,” in *Polity*, 25:4 (Summer 1993).

<sup>4</sup> See David Ingram, *Habermas and the Dialectic of Reason* (New Haven and London: Yale University Press, 1987), 65. Ingram’s discussion here, however, is essentially directed to the *reification* thesis. Notable works that bear on this point include, but not limited to, the following: Theodor Adorno, *The Culture Industry: Selected Essays on Mass Culture* (London and New York: Routledge, 1991); *Minima Moralia: Reflections on a Damaged Life* (Meard Street, London: Verso, 2005); *Negative Dialectics* (London and New York: Routledge, 2004); Max Horkheimer, *Critical Theory: Selected Essays* (New York: Continuum, 2002); *Between Philosophy and Science: Selected Early Writings* (Cambridge, MA: The MIT Press, 1993); *Eclipse of Reason* (London, New York: Continuum, 2004).

<sup>5</sup> Max Horkheimer and Theodor Adorno, *Dialectic of Enlightenment: Philosophical Fragments* (Stanford, California: Stanford University Press, 2002), xviii.

<sup>6</sup> Darrow Schechter, *The Critique of Instrumental Reason from Weber to Habermas* (New York: Continuum, 2010), 94. Schechter for example remarks that whereas myth is generally and essentially straightforward, the unfolding of the mythological character of enlightenment is more insidious.

<sup>7</sup> J. M. Bernstein for example carefully explains this thought. See J. M. Bernstein. “Negative Dialectic as Fate: Adorno and Hegel,” in Tom Huhn ed., *The Cambridge Companion to Adorno* (Cambridge: Cambridge University Press, 2004), 21. See also William Ophuls discussion of some interesting themes brought about by progress in science, especially Chapter 3. William Ophuls, *Requiem for Modern Politics: The Tragedy of Enlightenment and the Challenge of the New Millennium* (Boulder, Colorado: Westview Press, 1997).

<sup>8</sup> Bernstein, “Negative Dialectic as Fate,” 21.

fertile ground for achieving the ends of reason and rationality, and consequently the deliverance of what it hopes to accomplish.<sup>9</sup>

This paper therefore is an exploration of Habermas' critical reconstructions of the problematic of rationality via the critique of instrumental reason. It brings together some key ideas ranging from the dialectic of *instrumental reason* and how it leads to epistemological dissonance to the discursive redemption of the normativity of reason. It sketches, as a concluding reflection, whether or not his ideas may be situated within the larger methodological trajectory of Philippine social science research. The paper thus considers the concepts of communicative rationality, discourse, discourse ethics, and normative validity as crucially important.

### **Dialectic, Dissonance, and Rationality**

Habermas' critical reconstruction of the rationality problematic draws its roots from critical theory's critique of instrumental reason. One way of stating this is by saying that the reduction of reason to a mere *instrumental* or *functional rationality* not only distorts reason; more significantly, it also devalues reason to the effect that it results in epistemological dissonance. The kind of *dissonance* at issue here though originates from Weber's and Marx's accounts of the rationalization of society — Weber through his notion of sub-systems of purposive rational action and Marx through his notion of the development of forces of production.<sup>10</sup>

In his explication of Weber, Habermas notes for example, that said rationalization results inevitably in the rise of world religions, the *development* of societal rationalizations and the evolution of highly differentiated cultural value spheres.<sup>11</sup> These rationality complexes steered the rationalization of the view that the universe is a coherent whole<sup>12</sup> as well as further

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<sup>9</sup> Habermas, *The Philosophical Discourse of Modernity*, 113. Habermas, for example, talks of the various contributions of enlightenment that range from theoretical dynamics to aesthetic experiences. I thank the anonymous referee for pointing this out.

<sup>10</sup> See Max Weber's account of *rationalization* in *Economy and Society: An Outline of Interpretive Sociology* (Los Angeles: University of California Press, 1978). See also Karl Marx, *An Introduction to the Critique of Political Economy* (Chicago: Charles H. Kerr and Company, 1904), especially the Appendix; *Capital: A Critique of Political Economy*, Volume 1 (Middlesex, England: Penguin Books, Ltd., 1976).

<sup>11</sup> Habermas suggests that cultural modernity consists in the differentiation of value spheres. Habermas, *The Philosophical Discourse of Modernity*, 112. Richard Rorty claims though that this way of framing cultural modernity may be associated with Habermas' attempt of an all-encompassing history of philosophy since Kant. See Richard Rorty, *Essays on Heidegger and Others: Philosophical Papers Volume 2* (Cambridge: Cambridge University Press, 1991), 169.

<sup>12</sup> Habermas, for instance, explains that the rise of world religions, owing to the rationalization of worldviews, has generated conditions that lead to (a) "eradication of magical thoughts" [may be viewed as the loss of mythical influences of religions] and (b) "systematic

bureaucratization and institutionalization of social structures within the capitalist system and modern state. As a result, it brought forth organized institutions of taxation, administration, trade and commerce, including the judicial system along with property and contract terms. Trade and commerce flourished and made labor subject to corporate ethics and capitalist values.<sup>13</sup> Wages and incentives are calculated and regulated through work performances by cut-throat competitions. Meanwhile, the emergence of cultural value spheres ushered in the institutionalization of different cultural complexes of modern consciousness ranging from the scientific to the artistic, with their own inner logics patterned after purposive rationality or instrumental reason.<sup>14</sup>

This Weberian sociological anatomy of rationalization however, oscillates, to a certain extent, between rational development and irrational destruction. Since what is at work here is a concept of reason which is essentially instrumental, its inclination is generally oriented towards technological exploits and utilities. From a certain point of view, its cultural and dialectical undertones bring about dreadful, if not disastrous, social pathologies. Imagine for instance the possible effects of rapid technological progress to the environment or of the institutionalization of various organized systems of taxation, finance and labor to individuals and society, or of the bureaucratization of procedures in democratic practices and law as well as the emergence of organized religion to humanity as a whole. Do they really bring about development or human autonomy, or security? Or shall one say that more than development, they bring about destructions?<sup>15</sup> In Weber's terminology, they bring about distortions, disenchantments and dissonance in society. They become steering media which either impoverish or colonize society as a whole or the life-world.<sup>16</sup>

Paradoxically, while modern culture develops significantly, along this Weberian sociological anatomy of *rationalization*, it also develops unfortunately, if not perpetuates, social, economic and cultural conditions

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organizations" (Dogmatization) of religious beliefs and practices. See Jürgen Habermas, *The Theory of Communicative Action: Reason and the Rationalization of Society*, Vol. 1 (Boston: Beacon Press, 1984), 201-205.

<sup>13</sup> In *Theory and Practice*, for example, Habermas recasts Marx' account of the fetishism of labor and how it acquires real use value. See Jürgen Habermas, *Theory and Practice* (Boston: Beacon Press Books, 1973), 219-222.

<sup>14</sup> Habermas, *Theory of Communicative Action -1*, 234-235.

<sup>15</sup> See for example Ophuls' discussion concerning the four great ills brought about by the development of modern civilization. Cf. Ophuls, *Requiem for Modern Politics*, 97.

<sup>16</sup> See Jürgen Habermas, *The Theory of Communicative Action, Life-world and System: A Critique of Functionalist Reason*, Volume 2 (Boston, MA: Beacon Press, 1987), 281.

that give rise to the *loss of traditional values, human autonomy* as well as *loss of meaning*.<sup>17</sup>

These social pathologies, of course, are generally reflective of prejudices. They arise because of pessimism, if not nihilism, about the failure of enlightenment to keep its promises of redemption. For one, there is a certain lament to the effect that it looks at progress or development only by totally controlling or subjugating nature.<sup>18</sup> For another, it fails to recognize the limitations of its own conception of reason—a point traceable for instance from Hegel.<sup>19</sup> To a certain degree thus, the process of enlightenment indeed, is pessimistic.

Strangely enough, Karl Marx takes this pessimism further. As a pioneer of materialist critique of the history of economy of capitalist societies, Marx characterizes the economy of modernity as one of alienation and objectification.<sup>20</sup> Human beings for example are estranged, alienated, objectified and devalued by the relations of productions in various ways—from his or her humanity, from the product of his or her labor and from other human beings. There is for example an intrinsic confrontation, if not contestations, between himself or herself and what he or she produces, owing to this fact of estrangement. What Karl Marx articulates here, essentially, is a “political economy of reification based on alienated labor” in a materialist lens.<sup>21</sup>

This notion of reification nonetheless is picked up by both Horkheimer and Adorno. In fact, it is a central theme of *The Dialectic*. What for Marx is an outright “political economy of reification based on alienated labor” is for both Horkheimer and Adorno, a fundamental “genealogy of

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<sup>17</sup> Habermas, *Theory of Communicative Action – 1*, 243-244, 346-355, italics in the original. See also Rick Roderick, *Habermas and the Foundations of Critical Theory* (New York: St. Martin's Press, 1986), 34. Roderick in the same way explains: “The relationship of the spread of formal rationality to substantive rationality was, for Weber, highly problematic. On the one hand, capitalist rationalization was a substantive success in productivity and efficiency. On the other hand, traditional values were being lost. Weber's analysis of this rationalization process led him to regard it as fundamentally irreversible; it would inevitably lead to a *loss of freedom and a loss of meaning*.”

<sup>18</sup> James Schmidt, “Civility, Enlightenment, and Society: Conceptual Confusions and Kantian Remedies,” in *The American Political Science Review*, 92:2 (June 1998), 420.

<sup>19</sup> Schmidt, “Civility,” 420.

<sup>20</sup> See for instance Karl Marx's discussion of alienation in the following works: *The Grundrisse*, trans. and ed. by David McLellan (New York: Harper and Row Publishers, 1971), Ch. 5; *A Contribution to the Critique of Political Economy* (Chicago: Charles H. Kerr and Company, 1904), Ch. 1; *Economic and Philosophical Manuscripts*, in David McLellan ed., *Karl Marx: Selected Writings* (Oxford: Oxford University Press, 2010), see the section on ‘Alienated Labor’; see also “Alienation and Social Classes,” in Robert Tucker ed., *The Marx-Engels Reader* (New York and London: W. W. Norton and Company, 1978), 133-135.

<sup>21</sup> Schecter, *Instrumental Reason*, 94.

reification based on alienated nature."<sup>22</sup> They take reification, in contrast to Marx, generally as importantly directed towards further domination and repression as human beings are further atomized, processed and controlled through the fetishisms of commodities—which in turn, define humanity's value on the basis of use and/or exchange values within the relations of production under capitalism.<sup>23</sup> Human beings for instance become slaves and are enslaved consequently by the allure of the eschatological and salvific promises of enlightenment—its mythic or self-destructive character.

Habermas on the other hand, though wary of what Marx, Horkheimer and Adorno regard as reification due to instrumental reason, maintains that these social pathologies or pessimistic tendencies may be remedied through a critical reconstruction of Weber's account of rationalization. In Habermas' view, the problematic of reason may be reclaimed by expanding the idea of reason or rationality beyond purposive rationality or instrumental reason. What Habermas suggests here, as we shall see in later sections, is to look at the life-world as a fusion of three structurally differentiated components—those of culture, society and personality.<sup>24</sup> The integration of these components takes shape in the processes of cultural reproduction, social integration and socialization.<sup>25</sup> Each of these processes, he argues, contributes to the maintenance of the life-world as each process may be analyzed in terms of what he calls communicative action, a move beyond Weberian purposive-rational action or instrumental reason.

### Positivism, Objectivism, and End of Epistemology

Incidentally, the rationality problematic is also evident in the rise of positivism as a science. The advent of positivism, for example, commencing from August Comte to the twentieth century philosophers of science such as Ernst Mach, Sir Karl Popper, Ernest Nagel, Carl G. Hempel as well as Thomas Kuhn,<sup>26</sup> commences a new positive philosophy oriented towards a historical understanding of society. The parameter of which however, is defined by the contents of scientific knowledge.<sup>27</sup> Here, the term scientific knowledge

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<sup>22</sup> *Ibid.*

<sup>23</sup> For a more comprehensive explanation, see Martin Jay, *The Dialectical Imagination: A History of the Frankfurt School and the Institute of Social Research, 1923-1950* (London: Heinemann, 1973), 260-262.

<sup>24</sup> Habermas, *Communicative Action* – 2, 146.

<sup>25</sup> *Ibid.*, 142.

<sup>26</sup> See for instance his *The Structure of Scientific Revolution* (Chicago: The University of Chicago Press, 1962, 1970).

<sup>27</sup> The works of Sir Karl Popper and Carl G. Hempel, for instance, provided the foundational principle of modern positivist social research. For Carl Hempel, social and historical events are governed by general laws, much like the natural sciences. They can be

amounts to the positivist science's search for "regularity," "universal principles" or "patterns of events" that govern social phenomena much like the empirical sciences. Oddly enough, Habermas argues that by associating knowledge with the demands of positivist science [scientific knowledge], positivism succeeds in justifying itself as a mode of meaningful inquiry.<sup>28</sup>

The commitment to this form of scientific knowledge or meaningful inquiry however, generates significant bifurcations at the level of facts and values. On one hand, the idea that only 'statements derived from observable phenomena are meaningful' ignores the normative components of the phenomena themselves. It fails for example to consider the role of inter-subjective consensus in understanding a given phenomenon. On the other hand, the idea that 'positivist science is objective science' negates the role of values and therefore of subjective judgment, in the determination of facts themselves. In other words, only such 'facts' as defined by positivist science, may be brought before the tribunal of reason.

This demand, additionally, not only delimits the potent scope of scientific knowledge. It also delimits the extent of what may be properly called knowledge. Thus the production of the contents [concepts, theories, claims] of knowledge must be verified through facts by means of the method it adheres to—the method of observation.<sup>29</sup> By restricting inquiry into facts in the construction of theories, positivism then, lays bare the ground for objectivism and objectivity.

Apparently, as positivism lays the basis for objectivism, it also marks the "end of the theory of knowledge."<sup>30</sup> Similarly, it marks as well the beginning of "the pseudo-scientific propagation of the cognitive monopoly of science."<sup>31</sup> In this manner, positivism thus renounces a) the possibility of epistemological self-reflection, b) inquiry into the knowing subject, c) validity of judgments made and d) questions concerning the conditions of knowledge,

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explained by "antecedent or simultaneous conditions." These conditions generally presuppose regularity. Here, the term regularity provides the "scientific anticipations" of the processes themselves as though the regularity itself rests on some general laws of explanation. For Sir Karl Popper, the problematic is not so much about the possibility of verifying scientific theories but their falsifiability so that they [theories] can be "inter-subjectively tested." See Carl G. Hempel, "The Function of General Laws in History," in *The Journal of Philosophy*, 39:2 (Jan. 15, 1942), 39; See also Karl Raimund Popper, *The Logic of Scientific Discovery* (London: Routledge, 1959), 23.

<sup>28</sup> Jürgen Habermas, *Knowledge and Human Interest* (Boston: Beacon Press Books, 1971), 72, 80.

<sup>29</sup> In *On the Logic of the Social Sciences*, for example, Habermas himself remarks explicitly, that the methodology of positivism is subservient to the scientific rules of construction and verification of theories "as if it were a question of the logical connection between symbols." See Jürgen Habermas, *On the Logic of the Social Sciences* (Cambridge, Massachusetts: The MIT Press, 1988), 91.

<sup>30</sup> Habermas, *Human Interest*, 67.

<sup>31</sup> *Ibid.*, 71.

“in the name of rigorous knowledge.”<sup>32</sup> In *Knowledge and Human Interests* for instance, Habermas laments:

Once epistemology has been flattened out to methodology, it loses sight of the constitution of the objects of possible experience; in the same way, a formal science dissociated from transcendental reflection becomes blind to the genesis of rules for the combination of symbols. [ ... ] The positivistic attitude conceals the problems of world constitution. The meaning of knowledge itself becomes irrational—in the name of rigorous knowledge ... Until the present day this objectivism has remained the trademark of a philosophy of science. [ ... ] Transcendental-logical inquiry into the meaning of knowledge is replaced by positivistic inquiry into the meaning of ‘facts’ whose connection is described by theoretical propositions.<sup>33</sup>

The collapse of epistemology deprives reason of its capacity for critical reflection. On one hand, reason becomes blind to the conditions under which claims to knowledge may be validated. On the other hand, it becomes blind as well to the conditions of [normative] validity and therefore lacks the means to warrant or even justify any claim to knowledge. A theory of knowledge founded on positivist orientation, in Habermas’ terms, *must* ultimately show whether in fact what it claims to be scientific knowledge is “released from every normative bond.”<sup>34</sup> For Habermas, the validity of science or what it claims to be knowledge is and cannot be separated from certain normative commitment.<sup>35</sup> In the absence of such a commitment, science shows its lack of means or genuine commitment for a publicly grounded judgment or inter-subjective understanding. Interestingly, as positivism stripped reason of its capacity for critical reflection by reducing claims to knowledge to the methodology of empirical science, it faces the impasse as to how objective scientific knowledge is possible.<sup>36</sup>

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<sup>32</sup> *Ibid.*, 68-69.

<sup>33</sup> *Ibid.*

<sup>34</sup> See Jürgen Habermas, “The Analytical Theory of Science and Dialectics: A Postscript to the Controversy between Popper and Adorno,” in T. A. Adorno et al., *The Positivist Dispute in German Sociology* (London: Heinemann, 1976), 149.

<sup>35</sup> See Stephen K. White, *The Recent Work of Jürgen Habermas: Reason, Justice and Modernity* (Cambridge: Cambridge University Press, 1988), 26.

<sup>36</sup> Roderick, *Foundations of Critical Theory*, 54.



Similarly, an epistemology of this sort warrants no framework or principle, as it were, of rational justification.<sup>37</sup> For one, it fails to consider, if not ignore altogether, the possibility that there may be underlying human interests in the generation and production of instrumental or purposive rationality. For another, it neglects the possibility that there may be other ways of looking at reality and how such reality may be understood, characterized or described.<sup>38</sup> While it may be true that positivism provides a seemingly important framework for understanding external phenomena, it does not provide a means of knowing how such phenomena are internally constituted in themselves. On the one side, since positivism adheres strictly to its method of objectification, it deprives the life-world of its vital agencies necessary for social interactions—the inter-connectedness of its agents.<sup>39</sup> On the other side, since positivism strictly adheres to its method of abstraction, it separates and consequently invalidates the role of lived experiences in explaining social phenomena. In both ways, positivism reduces the horizon of lived experiences within the life-world as sensory data of “controlled scientific observation and experiment.”<sup>40</sup>

Pace the objectivism of positivism, Habermas nonetheless argues that its limitation as an objective framework of knowledge rests upon its neglect of the very *pre-conditions* of scientific knowledge. At one point, it remains grounded on what Husserl refers to as a pre-scientific world—the background condition of knowledge. At another point, it has not “freed itself from [the] interests rooted in the primary life-world.”<sup>41</sup> The underlying idea here is that the very possibility of knowledge requires, *inter alia*, a background condition which allows for the possibility of experience and consequently of knowledge. In this sense, for knowledge to be possible, its constitution must be given *in status quo ante* by a background condition as part of the larger ontology of the life-world. Habermas thus considers the life-world as the background condition of knowledge. For him the life-world is the anti-thesis to the objectifications of positivist science. In *On the Pragmatics of Social Interaction*, Habermas is critically explicit:

Thus we misconstrue the constitution of the world of possible experience if we choose the object domain of scientific knowledge as our paradigm and fail to see that

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<sup>37</sup> *Ibid.*, 53.

<sup>38</sup> *Ibid.*, 54.

<sup>39</sup> See Austin Harrington, *Hermeneutic Dialogue and Social Science: A Critique of Gadamer and Habermas* (London and New York: Routledge, Taylor and Francis Group, 2001), 16.

<sup>40</sup> *Ibid.*, 13. He remarks for example, that these failures lead to the “suppression of the transcendental framework of inter-subjectively understood meanings that first gave meaning to scientific activity.”

<sup>41</sup> Habermas, *Human Interest*, 305.

science is anchored in the life-world and that this life-world is the basis of the meaning of scientifically objectified reality. The constitutive theory of empirical knowledge must therefore *presuppose* a constitutive theory of the life-world. The latter, in turn, comprises a constitutive theory of society (as part of a so-called ontology of the life-world).<sup>42</sup>

Interestingly, the apparent neglect for example of positivist science to perceive the immanence of human interests in every application of instrumental-functional rationality conceals the potent role of human interests in the constitution of knowledge concerning the life-world and how individuals constitute themselves. For Habermas, understanding the human species and how they constitute themselves in the world cannot simply be made on the basis of the scientific dogmatism exemplified by positivist science. Rather, they have to be understood through the mediation of interests that propel them to constitute themselves as well as their history. In this sense, human interests are fundamental because they provide the essential pre-conditions of reproduction and self-constitution of the both the life-world and the human species. Thus, by introducing the notion of [cognitive] interests, Habermas frees reason and rationality from the restraints of a purely positivist methodology and consequently saves the life-world from epistemological dissonance. Here, his turn to language and communicative action is essentially primordial.

### **The Turn to Language and Communicative Action**

Habermas' turn to language and communicative action is driven basically by two things. On one hand, Habermas recognizes the need to investigate the positivist idea of validity since it fails to consider the role of interests in the reproduction and maintenance of the life-world. On the other hand, he recognizes as well the need to investigate the growing technical rationality of modernity given the ironies, paradoxes as well as dissonances that it entails.<sup>43</sup> On the whole, what Habermas attempts to show is the fact that the normativity of reason and consequently the validity of scientific theories are dependent essentially upon the underlying [human] interests, which in turn, propel the maintenance and reproduction of an inter-

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<sup>42</sup> See Jürgen Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action*, trans. by Barbara Fultner (Cambridge, Massachusetts: The MIT Press, 2001), 25.

<sup>43</sup> David S. Owen, *Between Reason and History: Habermas and the Idea of Progress* (Albany: State University of New York Press, 2002). Owen touches on this question at length.

subjectively ordered social and cultural life of the life-world.<sup>44</sup> Accordingly, Habermas intends to achieve a certain level of understanding which is adequate to understand the relations, if any, between the technological progress advanced by positivist methodology and the “proper shape and direction of social and cultural life.”<sup>45</sup>

A key element however in Habermas’ turn to language is an understanding of the pragmatics of language that mediates human actions.<sup>46</sup> Here, the pragmatics of language is understood as referring to the formal-pragmatic features of linguistically mediated social interaction, the nature of which is characterized by the kind of speech acts used, functions of speech, action-orientation, basic attitudes, validity claims and relations to the world. It is thus a critical move away from positivist epistemology towards a theory of language.

Central however to this *pragmatics* of language is his contrast between strategic and communicative action. At the heart however of this contrast is a distinction between two notions of rationality. Early in *The Theory of Communicative Action—1* for example, Habermas proposes a distinction between cognitive-instrumental rationality and communicative rationality.<sup>47</sup> Cognitive-instrumental rationality refers to that notion of rationality which directs human actions towards the realization of certain private ends. The realization of such ends is directed either by instrumental rationality, that is, when the action itself is aimed at the material production out of nature by means of one’s labor, or by strategic rationality, that is, when the action itself is directed towards influencing others.<sup>48</sup> Communicative rationality on the other, relates to actions that are oriented towards reaching mutual understanding or mutual agreement by means of shared interpretations of the world achieved through the process of communication.<sup>49</sup> This distinction, interestingly, is borne out of Habermas’ dissatisfaction with existing theories of society and modernity that employ the concept of rationality.<sup>50</sup>

The turn to language or to linguistically mediated interactions enables Habermas to explore the general features of social actions and consequently of communicative action. Initially, he makes a distinction between action orientations, i.e., between actions which are oriented toward success and actions which are oriented towards reaching mutual

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<sup>44</sup> White, *Recent Work*, 27.

<sup>45</sup> *Ibid.*

<sup>46</sup> Habermas, *Communicative Action – 1*, 333-337.

<sup>47</sup> *Ibid.*, 8-22.

<sup>48</sup> *Ibid.*, 10-24; see also his *Moral Consciousness and Communicative Action* (Massachusetts: The MIT Press, 1996a), 58.

<sup>49</sup> Habermas, *Communicative Action – 1*, 10.

<sup>50</sup> *Ibid.*, xxxix-xl.

understanding.<sup>51</sup> Secondly, of those actions oriented towards success, he makes a further distinction between instrumental and strategic actions.<sup>52</sup> Habermas considers both actions however as a contrast between non-social and social actions. Finally, of those actions oriented towards reaching understanding, Habermas identifies communicative action. He however considers strategic and communicative actions as types of social actions, of which, the latter takes pre-eminence because of its import to reach mutual understanding.<sup>53</sup>

Interestingly, Habermas considers the process of reaching mutual understanding as primordial to a critical theory of society. In contrast to strategic action, which is generally oriented towards success, communicative action moves along the axis of a “rationally motivated assent, through adducing reasons” rather than a “de facto accord” imposed from outside, either through coercion or force, or sanction.<sup>54</sup> It lays bare the fact of mutual recognition between individuals. As an action oriented towards reaching mutual understanding, communicative action, in this regard, effects an “inter-subjective consensus,” a shared agreement based on mutual convictions supported by reasons. As a shared agreement, it has a binding character between the individuals themselves. In the “Remarks on the Concept of Communicative Action,” for example, Habermas explicitly writes:

In strategic interactions, communicative means too are employed in the sense of a consequence-oriented use of language; here consent formation through the use of language does not function as a mechanism for coordinating action, as it does in communicative action. In communicative action the participants in interaction carry out their action plans *under the condition of an agreement reached communicatively*, while the coordinated actions themselves retain the character of purposive activity. Purposive activity forms just as much a component of consent-oriented action as of success-oriented action; in both cases the actions imply interventions in the objective world.<sup>55</sup>

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<sup>51</sup> Habermas, *Moral Consciousness*, 133; *Communicative Action – 1*, 268-288; *Pragmatics*, 118-120.

<sup>52</sup> Habermas, *Communicative Action – 1*, 285-286.

<sup>53</sup> Habermas, *Pragmatics*, 120.

<sup>54</sup> *Ibid.*, see also *Communicative Action – 1*, 287.

<sup>55</sup> See Jürgen Habermas, “Remarks on the Concept of Communicative Action,” in G. Seebas and R. Tuomela eds., *Social Action* (Dordrecht: Reidel, 1985), 174, italics added.

An underlying idea here however is Habermas' reconstruction of the theory of speech-acts. For Habermas, the works of Apel,<sup>56</sup> Austin<sup>57</sup> and Searle<sup>58</sup> among others, not only articulate but also provide the basis for the illocutionary character of communicative action. David Owen for example explains why this is the case. On one hand, the illocutionary character of communicative action demarcates clearly the difference between action orientations, i.e., between actions directed toward success and actions directed toward reaching mutual understanding. On the other hand, the emphasis on such distinction brings forth the peculiar "binding character" of communicative action in the "process" of reaching mutual understanding.<sup>59</sup> Precisely for such reasons, Habermas argues that said illocutionary character of communicative action provides the "consensual basis of coordination" and consequently of "mutual agreement" among individuals.<sup>60</sup>

Habermas nonetheless moves further than by simply incorporating communicative action within Austin's and Searle's theory of speech acts. In the course of his reflection for example, Habermas argues that in the process of "reaching mutual understanding," individuals cannot help but raise, whether implicitly or explicitly, validity claims or claims that must be defended by reasons. For real understanding to occur or for rational consensus to arise, individuals involved in the communication process must mutually recognize, if not satisfy, at least four [4] claims to validity: intelligibility or comprehensibility of what is said, the truth of what is said, the sincerity of the speaker and the normative rightness of what is said.<sup>61</sup> In *Religion and Rationality* for example, Habermas writes:

In communicative action, we orient ourselves toward validity claims that, practically, we can raise only in the context of *our* languages and of our forms of life, even if

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<sup>56</sup> See for instance the following works of Apel: *Karl Otto Apel: Selected Essays, Towards A Transcendental Semiotics: Volume 1*, ed. by Eduardo Mendieta (New Jersey: Humanities Press, 1994), *Karl Otto Apel: Selected Essays, Ethics and the Theory of Rationality, Volume II*, ed. by Eduardo Mendieta (New Jersey: Humanities Press, 1996).

<sup>57</sup> *How to do Things with Words: The William James Lectures delivered at Harvard University in 1955* (London, Oxford, New York: Oxford University Press, 1962).

<sup>58</sup> See for example the following works: *Expression and Meaning: Studies in the Theory of Speech Acts* (Cambridge: Cambridge University Press, 1979), "Meaning and Speech Acts," in *The Philosophical Review*, 71:4 (1962), 423-432; "Austin on Locutionary and Illocutionary Acts," in *The Philosophical Review*, 77:4 (1968), 405-424.

<sup>59</sup> Owen, *Reason and History*, 39. Owen however provides a third reason. He notes that "a speech act analysis clarifies the rational basis that underlies a communicatively achieved agreement."

<sup>60</sup> Habermas, *Communicative Action – 1*, 295.

<sup>61</sup> Habermas, *Pragmatics*, 63-64; see also *Communicative Action – 1*, 328, *Moral Consciousness*, 58.

the convertibility [*Einlösbarkeit*] that we implicitly co-posit *points beyond* the provinciality of our respective historical standpoints.<sup>62</sup>

One apparent idea here nonetheless is the inherent goal or *telos* of the communication process itself, i.e., that it seeks to achieve a rational consensus based on voluntary agreement on the basis of reasons which are found acceptable or reasonable. Habermas thus remarks that the process of reaching mutual understanding is determined by these claims to validity, either through redemption or through refutation, by giving reasons for either assent to or dissent from what is said.<sup>63</sup>

A central notion here however is the possibility of inter-subjective recognition of immanent obligations in communicative action. Since the latter's *terminus ad quem* is to "reach mutual understanding," its possibility is internally grounded on said validity claims. For example, in every act of communication, it is an immanent obligation that what is communicated must be comprehensible or intelligible to another. The comprehensibility or intelligibility of what is communicated "guarantees" the possibility of mutual understanding. That what is communicated is true is also another immanent obligation. The truth of what is said "warrants" the possibility of shared knowledge. A third immanent obligation is that what is communicated is uttered in "good faith" or that there is no reason to believe that deception is involved. This secures the possibility of "believing in" what is communicated. Finally, what is communicated must be within the bounds of established norms of a given context. This affirms the validity of prevailing norms and suggests that it is right to recognize such norms as valid.

The mutual recognition of these so-called immanent obligations not only guarantees the possibility of "mutual agreement" or "mutual understanding." Habermas for example suggests that said agreement achieves as well three things:<sup>64</sup> (a) that the speaker states something true about the world, (b) that the speaker performs a normative speech act within the bounds of an established norm in a given context thereby forging inter-subjective relation and (c) that the speaker expresses sincerely such speech acts from his/her own experiences. To say that an agreement is established is to say that, inter alia, at least two persons [speaker and hearer] agree on (i) the truth of the propositional content of what is said about the world, (ii) the normative rightness of what is said in relation to its context and (iii) the sincerity of what is said based on the subjective experiences of the speaker.

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<sup>62</sup> See Jürgen Habermas, *Religion and Rationality: Essays on Reason, God and Modernity* (United Kingdom: Polity Press, 2002), 80.

<sup>63</sup> Habermas, *Communicative Action – 1*, 307-308.

<sup>64</sup> *Ibid.*, 307.

For Habermas this fact of mutual agreement reveals the tripartite function of speech acts in communicative action. Thus he says:

As the medium for achieving understanding, speech acts serve: (a) to establish and renew interpersonal relations, whereby the speaker takes up a relation to something in the world of legitimate (social) orders; (b) to represent (or presuppose) states and events, whereby the speaker takes up a relation to something in the world of existing states of affairs; (c) to manifest experiences—that is, to represent oneself—whereby the speaker takes up a relation to something in the subjective world to which he has privileged access.<sup>65</sup>

A crucial concept here however is communicative competence.<sup>66</sup> Drawn largely from the works of Chomsky<sup>67</sup> and the mature Wittgenstein,<sup>68</sup> Habermas explains that “communicative competence” is not simply “linguistic ability” or the ability to form comprehensible sentences. More than “linguistic ability,” “communicative competence is the ability to embed a well-formed sentence in relations to reality.”<sup>69</sup> Here, the “relations to reality” means that the competent speaker recognizes the immanent obligations embedded in communicative interactions as well as the validity claims that he/she raises, whether explicitly or implicitly.

Communicative competence then is an essential pre-condition of mutual understanding. It applies to all participants in communication. The ability to communicate, or the lack of it, for example, determines the conditions that affect the grammar of communication or the direction of language use. Within the life-world for instance, this has a crucial role. Either it generates conditions necessary to achieve success or mutual understanding or it generates conditions detrimental to one or the other, or possibly both. If it leads to success or mutual understanding, communication succeeds in disclosing the immanent rationality it presupposes and the underlying

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<sup>65</sup> *Ibid.*, 308.

<sup>66</sup> Habermas however draws the idea of communicative competence from Lawrence Kohlberg’s account of moral competence. A critical treatment of Kohlberg’s account is evident for example in Habermas’ discussion of the relation between moral consciousness and communicative action in *Moral Consciousness and Communicative Action*.

<sup>67</sup> See for instance *Aspects of the Theory of Syntax* (Cambridge, Massachusetts: The MIT Press, 1965).

<sup>68</sup> See *The Philosophical Investigations*, trans. by G. E. M. Anscombe, P. M. S. Hacker and Joachim Schulte (United Kingdom: Basil Blackwell Ltd./ John Wiley and Sons, 2009).

<sup>69</sup> Jürgen Habermas, *On the Pragmatics of Communication* (Cambridge, Massachusetts: The MIT Press, 1996b), 50.

assumptions why it is crucially important. Initially, it gives rise to co-ordinated actions (hence successful) whose possibility is dependent on a prior unspoken agreement indicative of strategic rationality. Secondly, it gives rise to mutual understanding or rational consensus (the telos of communication) whose possibility is dependent on an unstated prior agreement indicative of communicative rationality. Thirdly, it also gives rise to possibilities of criticisms, reflections and claims to normative validity insofar as both success and mutual understanding are achieved inter-subjectively. And finally, it gives rise to conditions that delineate rational communication from the irrational one. For example, the fact that success or mutual understanding is achieved suggests that implicitly, the presuppositions of validity claims are mutually recognized, thereby achieving the possibilities of i) mutual understanding and co-ordination and ii) of delineating what may be called into agreement from what is not. The task thus of communicative competence in communication is to bring about either (i) or (ii) or both, within the horizon of the participant's critical self-reflection. This ensures, eventually, the possibility to take part in what Habermas calls "ideal speech situation."<sup>70</sup>

Habermas nonetheless notes that mutual understanding or rational consensus is always the result of a consenting and agreeing rational will. The idea of a rational will carries with it the assumption that it [rational will] is built necessarily into communicative action. Roman Coles for instance remarks that "because participants in normal speech acts must strive toward a consensus about something in the world—an unforced consensus of rational agreement - their utterances take the form of validity claims open to criticism."<sup>71</sup> Participants thus, become self-authenticating sources of normative validity.

The possibility of arriving at rational consensus nevertheless, is subject to the assumption that reason is universal. To a greater extent, such universality provides the internal connection between validity claims and their supposed redemption through discourse. The said connection in turn, forms the rational foundation of normative validity, the outline of which is critically articulated in Habermas' account of *Discourse Ethics*. In the section that follows, I present, albeit briefly, some fundamental ideas of *Discourse Ethics* as a program of justification of normative claims to validity.

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<sup>70</sup> Recall for example the importance of mutually acknowledging the four claims to validity. While comprehensibility may be discerned in language, the validity claims to truth, normative rightness and sincerity have to be redeemed by giving reasons to one's claims.

<sup>71</sup> See Roman Coles, "Communicative Action & Dialogical Ethics: Habermas & Foucault," in *Polity*, 25:1 (Autumn 1992), 75.



## Discourse Ethics and Normative Validity

Habermas' account of *Discourse Ethics* is essentially articulated through the discourse principle as follows:

Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity as participants in a practical discourse.<sup>72</sup>

Conceived broadly, the discourse principle expresses the essential backbone of Habermas' moral theory.<sup>73</sup> As a principle, it remains neutral with respect to morality and law.<sup>74</sup> As a point of view however, it articulates basically "the meaning of post-conventional requirements of justification" in a post-metaphysical way of thinking.<sup>75</sup> Here, post-metaphysical thinking is understood as that sort of thinking characterized by a critique of Hegelian idealism and a critique of foundationalist philosophy of the subject.<sup>76</sup> As a program of justification, though, its primary task is to arrive at "a rule of argumentation for discourses in which moral norms can be justified."<sup>77</sup>

Conceived narrowly however, the discourse principle, as Habermas puts it, is "only intended to explain the point of view from which norms of actions can be impartially justified."<sup>78</sup> For example, given certain problematic validity claims, the discourse principle specifies what sort of discourse is appropriate and how such discourse must operate. In problems involving the justification of moral norms for instance, the discourse principle functions as a universalization principle and serves as a rule of argumentation thereby specifying the point of view from which said justification is to be carried out.<sup>79</sup> It is to be noted nevertheless that for Habermas the operation of the discourse principle is dependent on what sort of argumentation is carried out.

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<sup>72</sup> Habermas, *Moral Consciousness*, 66, 93.

<sup>73</sup> See William Rehg, *Insight and solidarity: a study in the discourse ethics of Jürgen Habermas* (Berkeley and Los Angeles, California: University of California Press, 1994), 30.

<sup>74</sup> See Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. by William Rehg (Cambridge, Massachusetts: The MIT Press, 1996c), 107.

<sup>75</sup> *Ibid.* See also Hugh Baxter, *Habermas: The Discourse Theory of Law and Democracy* (Stanford, California: Stanford University Press, 2011), Ch. III. Baxter for instance explains that this sort of justificatory requirement is meant to augment the failure of systems in a rationalized life-world to provide the basis of legitimacy of social norms and institutions.

<sup>76</sup> See Jürgen Habermas, *Postmetaphysical Thinking: Philosophical Essays*, trans. by William Mark Hohengarten (Cambridge, Massachusetts: The MIT Press, 1992), 39-40.

<sup>77</sup> Jürgen Habermas, *Justification and Application: Remarks on Discourse Ethics* (Massachusetts: The MIT Press, 1993), 31-32.

<sup>78</sup> Habermas, *Facts and Norms*, 108-109.

<sup>79</sup> *Ibid.*, 109.

The shift to argumentation or discourse, essentially, brings out the communicative character of communication. For Habermas, discourse is an “exacting type of communication.”<sup>80</sup> It is “removed from contexts of experience and action” because it is context-transcending, that is, it transcends the narrow context of specific forms of life.<sup>81</sup> In discourse, what is given a purchase are the object of discussion, the freedom of the participants, the force of the better argument as well as the cooperative search for truth.<sup>82</sup> Furthermore, discourse, as an “exacting type of communication” is “free of exigent constraints.”<sup>83</sup> On one hand, it generalizes principles that ought to be agreed upon. On the other hand, it abstracts what ideas of sort may be rationally accepted by adducing the best reasons. Finally, discourse stretches the presuppositions of context-bound communicative actions beyond the limits of one’s particular form of life.<sup>84</sup> In the absence therefore of a communicatively shared interactions, discourse, being such type of communication, provides the ideal condition for reaching mutual understanding. However, discourse or argumentation is not to be confused with a “decision procedure,” instead, it is to be viewed as “a problem solving procedure that generates *convictions*.”<sup>85</sup>

This is precisely what is captured by the discourse principle. In a modern pluralistic society, it presents an “ideal procedure of deliberation” or articulates the “normative background condition,” within which conflicting social norms may be evaluated and consequently validated. Since the dynamics of inter-personal relationships, which is built essentially through legitimately ordered relations, is accessible only from a participant’s point of view, the discourse principle, serves as standpoint of impartial justification. Precisely from this standpoint, “only those norms can claim to be valid that meet (or could meet) with the approval [acceptance] of all affected [concerned] in their capacity as participants in a practical discourse.”<sup>86</sup> The notion of validity here however points to the reached agreement arrived at cooperatively through adducing reasons. It thus becomes a function of the cooperative search for norms which are worthy of recognition. In much the same way, the idea of acceptance here points to the fact of agreement reached by means of the force of the better argument or by means of the best reasons rather than by means of de facto acceptance or threats of either sanction or

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<sup>80</sup> Habermas, *Moral Consciousness*, 202.

<sup>81</sup> Habermas, *Justification and Application*, 146. See also Jürgen Habermas, *Legitimation Crisis*, trans. by Thomas McCarthy (Cambridge, UK: Polity Press, 1976), 107.

<sup>82</sup> Habermas, *Legitimation*, 107-108.

<sup>83</sup> Owen, *Reason and History*, 44.

<sup>84</sup> Habermas, *Moral Consciousness*, 202.

<sup>85</sup> Habermas, *Justification and Application*, 158.

<sup>86</sup> Habermas, *Moral Consciousness*, 66.

force. The discourse principle thus, as Habermas puts it, specifies the conditions that valid norms would fulfill if they could be justified."<sup>87</sup>

Apparently, the discourse principle becomes notably effective within the limitations of system perspectives in the life-world. Given the fact of pluralism, it is certainly possible that one's belief in the validity of norms, legitimacy of coercive positive laws, and desirability of values as well as acceptability of certain ways of behavior may diverge due to the multiplicity, if not hybridity, of substantive contents and symbolic representations of norms, laws, values and behavior within the life-world. Since the primary task of communicative action is to bring about stability and integration in the way individuals relate with one another in the life-world, through norms that coordinate social interactions, the scenario of plurality is likely to encumber this possibility, unless said plurality *in ipso*, accrues to an inter-subjectively shared belief in normativity achieved deliberately through rational consensus by appealing only to those norms that command universal assent or what Habermas himself refers to as norms "worthy of recognition."<sup>88</sup> In *Truth and Justification* for example, Habermas aptly remarks:

This scenario of a pluralism of worldviews and of a disintegrating communal ethos is meant to remind us how members of modern societies can become aware of the fact that *there can be rational dissensus about fundamental standards of value and why they might be faced with the task of making efforts on their own in order to reach an agreement together about norms for living together in justice.*<sup>89</sup>

Within the context of a pluralism of perspectives thus, the question of normative validity arises out of the need to provide a publicly shared basis of social and moral norms within which a legitimately ordered interpersonal relations may be grounded. Habermas argues thus, that the fact of pluralism of perspectives entails a "publicly shared basis of [norms] that may be shared by all" rather than a de facto adherence to them because of threats of sanctions from social institutions or belief "in the authority of an omnipotent god."<sup>90</sup> Apparently, a pluralism of perspectives amplifies the dilemma of determining, whether or not a given norm of action, which is necessary to order interpersonal relations, in fact, is publicly shareable on one hand and

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<sup>87</sup> See Jürgen Habermas, *The Inclusion of the Other: Studies in Political Theory*, ed. by Ciara Cronin and Pablo de Greiff (Cambridge, Massachusetts: The MIT Press, 1998), 42.

<sup>88</sup> Jürgen Habermas, *Truth and Justification*, (Massachusetts: The MIT Press, 2005), 258.

<sup>89</sup> *Ibid.*, 263. Italics added.

<sup>90</sup> Habermas, *Inclusion of the Other*, 8, 10.

whether or not the duties they impose as well as the practical obligations they generate warrant a publicly shared recognition and adherence to such norms on the other hand. The force of this concern is well expressed by Habermas as follows:

Norms regulate contexts of interaction by imposing practical obligations in a justifiable manner on actors who belong to a shared community. [ ... ] *Duties, by contrast, derive their binding force from the validity of norms of interaction that claim to rest on good reasons. We feel obligated only by norms of which we believe that, if called upon to do so, we could explain why they both deserve and admit of recognition on the part of their addressees (and of those affected).*<sup>91</sup>

Habermas nevertheless suggests that discourse principle, to be effective, necessitates a rule of argumentation which specifies how moral norms may be possibly justified. Habermas thus introduces this rule of argumentation through the principle of universalization as follows:

*All affected can accept the consequences and the side effects its general observance can be anticipated to have for the satisfaction of everyone's interests (and these are preferred to those known alternative possibilities for regulation).*<sup>92</sup>

Habermas however explicitly suggests that this principle is meant precisely "to regulate *only* argumentation."<sup>93</sup> As such a rule, it provides the basis for the logic of rational discourse. At one point, it "fosters hermeneutic sensitivity" since it takes into account a broad spectrum of interests and value-orientations from the participants themselves.<sup>94</sup> At another point, it generates "interpretive interventions" into one's self-understanding through a "generalized reciprocity of perspective taking."<sup>95</sup> Finally, it fosters mutual respect since it enjoins all participants to cooperatively reach mutual understanding or rational consensus.<sup>96</sup>

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<sup>91</sup> *Ibid.*, 41. Italics added.

<sup>92</sup> Habermas, *Moral Consciousness*, 65.

<sup>93</sup> *Ibid.*, 66.

<sup>94</sup> Habermas, *Inclusion of the Other*, 42.

<sup>95</sup> *Ibid.*, 42-3.

<sup>96</sup> *Ibid.*

The possibility nonetheless of the test for universality is embedded in the presuppositions of discourse itself. Habermas suggests the following as central to discourse:

The four most important presuppositions are (a) publicity and inclusiveness: no one who could make a relevant contribution with regard to a controversial validity claim must be excluded; (b) equal rights to engage in communication: everyone must have the same opportunity to speak to the matter at hand; (c) exclusion of deception and illusion: participants have to mean what they say; and (d) absence of coercion: communication must be free of restrictions that prevent the better argument from being raised or from determining the outcome of the discussion.<sup>97</sup>

These presuppositions, Habermas argues, serve as the touchstone of the practice of argumentation. Although they are “ideal requirements,” they have practical function in laying the basis for impartial justification. On one hand, the rules guarantee “openness and equal inclusion” of participants. On the other hand, they ensure autonomy and transparency. In more general terms, the rules provide compelling reasons to achieve impartiality of judgment concerning a controversial norm.<sup>98</sup>

The test for impartiality, however, is achieved, in principle, when all affected reach mutual agreement by means of the force of the better argument. Habermas defines impartiality thus:

True impartiality pertains only to that standpoint from which one can generalize precisely those norms that can count on universal assent because they perceptibly embody an interest common to all affected.<sup>99</sup>

This impartial grounding, he argues, is entailed by the facility that the discourse gives to the “production and discovery of the norms of well-ordered inter-personal relations.”<sup>100</sup> Thus, when participants, whether

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<sup>97</sup> Habermas, *Truth and Justification*, 106-107.

<sup>98</sup> *Ibid.* Habermas for example explains further that the rules themselves point to the self-correcting nature of discourse. Since the presuppositions themselves guide the structure of discourse, they also guide the participants in securing good reasons in the process even if they are faced with difficulties in conveying them.

<sup>99</sup> Habermas, *Moral Consciousness*, 65.

<sup>100</sup> Habermas, *Inclusion of the Other*, 38.

willingly or unwillingly, fail to accept the presuppositions of discourse, they are caught essentially in what Habermas refers to as performative contradiction.<sup>101</sup> Within the broader spectrum of justification, therefore, both the discourse principle and universalization principle serve as procedural normative principles.

On the contrary, it does not necessarily mean that the application of both principles themselves generally leads to mutual agreement or rational consensus. There may be circumstances where agreement is too difficult to achieve or where rational consensus is too far-fetched. In cases like these, Habermas considers the likelihood that what is essentially needed is perhaps a discourse of clarification or self-interpretive discourses rather than discourse of justification,<sup>102</sup> although Habermas also suggests the possibility of bargaining, or compromise or negotiations in situations where moral or ethical discourse fails.<sup>103</sup>

On the whole, what is given a purchase in Habermas' *Discourse Ethics* thus is not necessarily normative validity, but the *inter-subjectivity* of how said validity, in ipso, is arrived at. To a certain extent, what *Discourse Ethics* considers primarily important is the process of reaching mutual understanding because the process itself articulates the formation of rational and consenting wills, akin to a Kantian kingdom of ends.<sup>104</sup> The redemption of validity claims and therefore of the normative character of reason, rests ultimately upon it and it alone.

### Concluding reflections: some methodological considerations

The question surrounding the applicability of Habermas' ideas to problems facing postmodern society and culture is well-noted by Habermas scholars, whether sympathetic or otherwise, as far too difficult than what Habermas himself may have initially imagined. The intellectual rigor that it demands, especially the conditions it requires for the practice of discourse ethics, is more than adequate to wear away, let alone erode, any attempt to pursue such a very complex task. The reasons for this difficulty are diverse. Among the general ones, I mention only two. Initially, there is the problem concerning Habermas' "empty intellectualism."<sup>105</sup> One motivating reason that underlies this criticism is drawn out from the belief that Habermas'

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<sup>101</sup> Habermas, *Moral Consciousness*, 80.

<sup>102</sup> Habermas, *Justification and Application*, 158; *Inclusion of the Other*, 34.

<sup>103</sup> Habermas, *Between Facts and Norms*, 165-167.

<sup>104</sup> See Immanuel Kant, *Groundwork of the Metaphysics of Morals*, in Mary J. Gregor ed., *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant* (Cambridge: Cambridge University Press, 1996), 87, [4:438].

<sup>105</sup> See Michael Pusey, *Jürgen Habermas* (London and New York: Routledge, 1987), 114.

attempt of redemption of the idea of rationality has turned to a “self-regarding intellectualism that does not relate to the circumstances of ordinary people.”<sup>106</sup> Secondly, there is also the problem concerning the methodological adequacy of Habermas’ ideas.<sup>107</sup> A fundamental reason here is due largely to Habermas’ own admission to a *brutal* [conceptual re-engineering] or critical reconstructions of concepts from various thinkers.<sup>108</sup> Uwe Steinhoff for instance, laments that this sort of methodology “does not inspire trust.” He asks: “what systematic value, what justificatory force, one might wonder, is a brutally distorted history of theory supposed to have?”<sup>109</sup> Still, there are other specific criticisms hurled against Habermas, only, that I do not wish to go any further. Whether or not they have substantive merits, these criticisms have to be decided by the force of the better argument.

It is my suggestion nonetheless that despite said criticisms, Habermas’ ideas have far reaching methodological considerations to the study of Philippine culture and society. Although there are already studies that utilize Habermas’ ideas, they have yet to penetrate the mainstream of Philippine social science research.<sup>110</sup> I take thus the following Habermasian ideas as methodologically relevant.

Firstly, Habermas’ notion of discourse or argumentation may perhaps serve as an alternative model of understanding disputes, if not a way of resolving it, within the larger context of conflict studies in the social sciences. For one, it takes off from the pragmatic presuppositions of everyday communication, which means that the possibility of understanding conflict is already contained in it rather than derived from some remote sources that are alien to the context itself. For another, it does not always demand argumentation in the literal sense. It also allows for *discourse* that leads to self-clarification or self-understanding. The hermeneutic sensitivity that is necessary to view the conflict inter-subjectively here is already embedded in the discourse itself [rather than imposed from outside].

The case of Mideo Cruz’s *Politeismo*, for example, may have been otherwise resolved or understood better, through a discourse of clarification,

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<sup>106</sup> *Ibid.*, 115.

<sup>107</sup> See Uwe Steinhoff, *The Philosophy of Jürgen Habermas: A Critical Introduction* (Oxford: Oxford University Press, 2009), 241.

<sup>108</sup> In *Autonomy and Solidarity* for example, Habermas confesses: “I think I make the foreign tongues my own in a rather brutal manner, from a hermeneutic point of view. Even when I quote a good deal and take over other terminologies I am clearly aware that my use of them often has little to do with the authors’ original meaning.” Jürgen Habermas, *Autonomy and Solidarity. Autonomy and Solidarity: Interviews with Jürgen Habermas* (London and New York: Verso, 1992), 128.

<sup>109</sup> Steinhoff, *The Philosophy of Habermas*, 242.

<sup>110</sup> Agustin Rodriguez’ *Governing the Other: Exploring the Discourse of Democracy in a Multi-verse of Reason* and Karl Gaspar’s *Manobo Dreams in Arakan: A People’s Struggle to Keep their Homeland* for example are cases in point.

if not through discourse itself.<sup>111</sup> Given that the art exhibit touches on a number of central issues, especially those that relate to religion, law and rights, an appeal to a discourse of clarification may have been crucial to the juxtaposition of the said issues, if not the questions attached to it. The problem here of course is not exhausted simply by the question concerning the nature of the art in *Politeismo*. But, it cannot be brusquely concluded either as a blasphemous art offensive to religion.<sup>112</sup> The crucial issue here, one may say, is the degree of toleration we, as a people, are willing to consent to (toleration is crucial since it thrives only on conditions when one is truly and deeply offended by something).<sup>113</sup>

Secondly, Habermas' emphatic claim on inter-subjectivity may perhaps bridge the apparent dichotomy inherent between the objectivity of quantitative methodology and subjectivity of qualitative methodology and thus provide an inter-subjective understanding of social reality and human relationships. An emphasis on the role of inter-subjectivity may, in the long run, provide a more coherent, if not broader, basis of interpretation and understanding of social reality. At one point, an interpretation or an understanding grounded on inter-subjectivity cuts across quantitative generalizations derived from random sampling. At another point, an understanding of social reality on the basis of inter-subjective interpretation is much more grounded on lived experiences than the explanatory theory of qualitative methodology. A shift thus to inter-subjectivity is more encompassing, if not more coherent and consistent, than the selected propositional, conceptual and predictive categories of meanings of both quantitative and qualitative methodologies. The shift however entails a more

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<sup>111</sup> Similar controversies are also present for example in the U.S. Both Robert Mapplethorpe and Andres Serrano for example have also become *causes célèbres*. Robert Mapplethorpe's *homoeroticism* and Andres Serrano's *Piss Christ* both sparked national controversies. I thank David Ingram for this valuable information. (Personal Communication [Ingram's reply to De Vera], July 31, 2013)

<sup>112</sup> While Prof. Randy David is correct to point out that "art cannot hope to secure its autonomy by free-riding on the legal system," it makes perfectly good sense to suppose as well that free-riding on the legal system is the first step towards securing that autonomy in a society that is highly dominated by religion. See David, Randy, "When Art irritates Religion," in *Philippine Daily Inquirer*, (July 31, 2011), <<http://opinion.inquirer.net/10147/when-art-irritates-religion>>.

<sup>113</sup> David Ingram nonetheless shares an opinion about it in a correspondence with him. He says: "In *The Theory of Communicative Action*, Habermas also says that the rationality of artistic taste is *partly conditioned by cultural standards*. Legally speaking, Habermas acknowledges that "legal" - specifically juridical - discourses are partly constrained by prior legal precedents; at least they must draw their reasons from the whole texture of the law. Legislative discourses, however, are only constrained by constitutional basics and must be more free-wheeling. *It's a matter for the people, working through their democratic channels, representatives, public opinion, etc. to decide what limits, if any, should apply.*" (Personal Communication [Ingram's reply to de Vera], July 31, 2013), italics added).



hermeneutic sensitivity to the heterogeneity of value orientations and complexity of social reality and human relationships.

An interesting yet challenging case here for instance may be drawn from the century old conflict in Mindanao. To an extreme case, it does not only articulate an inherited “colonial bias against non-Christians,” but also expresses a highly bifurcated social order—between “a dominant [Christian] majority and a belligerent [Muslim] minority.”<sup>114</sup> Whereas it may be true for example that there are various mechanisms designed primarily to end the conflict, from the Tripoli Agreement in 1976 to the Manila Agreement in 1996, the highly entrenched cross-cultural differences between them [Christians and Muslims], prove totally sufficient to erode unfortunately what is otherwise understood as the “road to peace and reconciliation” in the south.

Finally, Habermas’ notion of validity may perhaps be more useful in assessing and evaluating the acceptance or rejection of generalizations, theoretical constructs and conceptual categories derived from both quantitative and qualitative researches rather than the traditional formula of validity evident in them, such as those of measurement validity (internal or external), contextual validity and dialogic validity. Since the very nature of research is to arrive at an honest and truthful description of social reality, a shift perhaps to a more *discursive* notion of validity, a la Habermas’ may contribute to the further growth of understanding Philippine social reality as a whole.

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<sup>114</sup> See Samuel K. Tan, “History of the Mindanao Problem,” in Amina Rasul ed., *The Road to Peace and Reconciliation: Muslim Perspective on the Mindanao Conflict* (Makati City: AIM Policy Center, 2003), 6; see also Santanina Rasul, “Muslims in the Philippines or Filipino Muslims?” in *ibid.*, 23.

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