# Communicative ethics[1]

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## Concept and definition

Communicative Ethics and Discourse Ethics are two terms, used mostly interchangeably in the literature, for the ethical theories of Jürgen Habermas and Karl-Otto Apel. Habermas himself tends to use 'discourse ethics' as a description of Apel's work, and 'Communicative Ethics' for his own. The 'communicative' refers however not to communication in the ordinary sense of the word (a widespread misconception) but to the *Theorie des kommunikativen Handelns*, and to the 'universal pragmatic' approach to the moral-ethical and cognitive aspects of human interaction therein expounded.

The term 'Communicative Ethics' is used mostly in three different contexts:

- in the context of the 'rational reconstruction' of moral judgements and morally relevant actions in every-day, 'ordinary-language' types of situations; (including an examination of the different stages which moral-ethical judgements go through during childhood and adolescence, and especially their function in psychodynamics;)
- in the context of an examination of the normative foundations of the social sciences;
- in the context of a meta-ethical examination of the types of strategies available to actors (both individual and collective) motivated to seeking consensual resolutions for (economic, political, everyday) conflicts of interest.

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1 Lexicon article, published (in dutch) as „communicatieve ethiek" in: M. Becker, B. van Stokkom, P. van Tongeren, J.-P. Wils (2007) (eds.): *Lexicon van de ethiek*, Assen, Netherlands.

## Historical development

Communicative Ethics straddles the two different, self-consciously secular traditions of ethical thought as these have evolved in Europe and in the English-speaking world over the last two centuries:

### *1) Kantian dualism and the antinomies of abstract subjectivity.*

In common with all secular schools of thought since Descartes and Kant on the continent, Communicative Ethics seeks an answer to the dualism characteristic of all modern, 'Western', post-enlightenment' thought, based as this is on the „free and autonomous subjectivity" establishing itself in the course of the 'Radical Enlightenment' (Jonathan Israel) sweeping Europe from the middle of the seventeenth century onwards – expressing itself ethically in the systems of Spinoza and Kant, politically in the republicanism of the French Revolution, legally in entrenched constitutions designed for the protection of individual rights.

But if freedom and autonomy of the individual was to be the foundation of all else, something 'categorically' different from the 'determinisms' said to govern only in the world of nature, the problem becomes: how is the relationship between autonomous individuality and the State on the one hand, towards Nature on the other, to be conceived. For the categorical imperative – „Handle nur nach derjenigen Maxime, durch die du zugleich wollen kannst, daß sie ein allgemeines Gesetz werde" (Kant: *Grundlegung der Metaphysik der Sitten*) – is to some considerable degree the expression of an inner and private morality which has cut itself loose from positive law and from the laws of nature – let alone from moral truths as interpreted by religious authority.

For Hegel and German Idealism this 'categorical imperative' hence has a 'Janus-face' to it. In the principle that „... als moralisches Wesen [ist] der Mensch frei, über alles Naturgesetz und Erscheinung erhaben" (Hegel, *Vorlesung über die Geschichte der Philosophie*, 20/364) it sees a world-historical emancipation from all 'heteronomy' and subordination, an emancipation from 'Feudalism', the very basis of the ethical universalism of modernity, but it sees in it also, at the same time, a paradox which on purely Kantian premises remains insoluble: how this 'dialectic' of 'subjectivity' and 'objectivity' at all levels of reality is to be conceived, how the

'ought' and the 'is' are to be reconciled, how the obvious political denial of individual freedoms all over the world is to be overcome. Kantian ethics, based on the free will of the autonomous individual, leaves behind it a 'within' and a 'without' of things which for nineteenth-century philosophy seemed – in as much as it remained 'pure philosophy' – both unacceptable and insoluble. Besides, it was always in danger, as Hegel was the first to have made plausible, precisely because of its 'abstract' ('undialectical', 'unreflected') nature, of splitting up into positivism at the level of cognition, egoism and sensualism at the level of the emotions, and fundamentalism at the level of ethics. In political terms: the line between Kantian autonomy and neo-liberal ideology was a thin one, already in Hegel's time.

Hegel's way of dealing with this dilemma was, amongst other things, to work out:

- just what the institutional preconditions would need to be for the society envisaged in Kant's Zum ewigen Frieden to become possible in reality – a task which appeared all the more urgent as the French Revolution had just provided a graphic pointer to everything that was likely to go wrong once 'subjective idealism' started to become politically assertive. If the blueprint for that world based on Kantian ethics which Hegel sketched in the Rechtsphilosophie bore, according to his critics, an uncanny resemblance to the Prussian State, it was nevertheless so that Hegel was the first to have put his finger on a very modern problem, namely the increasingly obvious tension between morality and legitimacy in contemporary society. If after Hegel's death his system fell into disrepute, that only made the conflict for which the system had been the putative solution all the more intractable: the conflict between individual freedoms and the rule of law – in a society which already in Hegel's day was polarising along class lines. Not to mention the speed with which autonomous individuality would turn into support for the nationalism and militarism that was to tear post-Napoleonic Europe apart a scant eighty years later.
- just what the 'genetic' (historical) origins were of that freedom and autonomy which Kant had epitomised as the 'spirit of the age' – but had treated only formally, rather than in its process of 'becoming'. This is what Hegel sets out to do in the Phänomenologie des Geistes and then in the Logik. Through a process of phenomenological 'reflection' the individual traces out his or her 'mediations', all the way from the objective world of nature and society into which we are all born, through to the subjective 'being-in-the-world' which, if

> all goes well, we come to inhabit as rational and ethically responsible adults. With that Hegel initiates a form of analysis – a non-deductive, 'transcendental' or 'speculative' grounding for ethical and other intuitions for which Habermas would later coin the term 'rational reconstructions' – which would retain its validity long after the rest of the Hegelian system had succumbed to the scientistic spirit that would sweep through the European universities in the decades after Hegel's death.

This specific Hegelian and then 'Left-Hegelian' way of coming to terms with the 'contradictions' of the Western, 'Enlightenment' tradition in ethics and law is radicalised in the movement from Marx through to the Frankfurt School, which comes increasingly to see in the ubiquity of social and political conflict (in the 'objective contraditions') the very first and most pressing reality to be dealt with by all 'meta-ethical' and 'practical' discourses.

But in this very ubiquity of social conflict at all levels of society, which for our own age has become so evident, there is also something in the way of a 'proof' of the difficulty, under current conditions, of basing a universalistic ethic on personal opinion and on the conscience of the individual. Subjectivity as a basis for a universalistic ethic becomes increasingly undermined in an age in which conscience and self-preservation have become 'opposites'. (Horkheimer 1941)

## *2) The logic of predication in language use, and the antinomies of abstract objectivity.*

From a purely scientific perspective, basing itself on the standpoint of value-neutrality and the quasi-experimental replicability of research results, ethics (together with art, music, religion) is assigned to the purely spurious sphere of private opinion and subjective 'value-judgements'. Meaningful statements, to quote Searle on the 'Verification principle' on which Philosophy of Language was premised during its heyday, „are either analytic on the one hand or empirical and synthetic on the other", everything else is considered meaningless or purely emotive. (Searle 1971, 5.) Or: „Wovon man nicht sprechen kann, darüber muß man schweigen", in the words of its most famous advocate, Ludwig Wittgenstein. But even in a 'Tractatus-World' there's still the old unresolved Plato/Aristotle controversy, concerning the relationship of 'physei' and 'thesei', between 'body' and 'mind', between objects and sense certainty on the one hand and the

concepts which we invent in order to 'denote' them on the other. Against the 'correspondence' theory of truth which he had himself championed so effectively Wittgenstein would be the first to rebel, and this would lead the way to an examination of the pragmatics of language, starting with his own notion of 'language-games'. Strawson, Austin and Searle would in their turn build on this and, in the course of the so-called 'linguistic turn', do much to alleviate the one-sidedly cognitive bias so characteristic of Analytic Philosophy to this day.

It has been Habermas' position, at least since the *Theorie des kommunikativen Handelns*, that a resolution to the Strawson-Austin-Searle-Chomsky debate on the relationship of sentence-production on the one hand (syntax, semantics, grammar) and speech acts on the other (the 'illocutionary', pragmatic aspects of language-performance) is to be achieved by moving the debate about truth content entirely away from symbol- and sentence-meaning to the pragmatics of language use. The acceptance of utterance 'p' by hearer 'h' then becomes a matter of the success or failure of the validity claims (considered to be anthropologically universal for our species) that speaker raises by uttering 'p'. That is, in uttering 'p', I claim for this statement: i) cognitive truth; ii) moral-practical 'appropriateness' (including my right to be making this statement in this context at this moment); iii) that this does indeed correspond to my inner convictions (condition of 'veracity').

On this theory of truth, 'ordinary language' has just as many mechanisms for the raising, contesting, supporting, proclaiming of moral-ethical claims (in practical discourses) as it has for the analogous function of raising, contesting, acknowledging the cognitive claims thematised in theoretical discourses. (Swindal, 2001)

From the point of view of Western Philosophy as a whole, it is clear that Communicative Ethics introduces, within Analytic Philosophy's own ambit, questions which in the 'dialectical' tradition once went under the heading of the 'reflection' of 'spirit' and 'mind' – with the difference that this time these issues are being raised not within the idealist, but within the empiricist tradition. If the 'validity claim' for the moral-ethical aspect of speech acts is an 'anthropologically universal' component of all human communication, then there's a relationship there to be worked out between norms and values, practical discourses, and social integration, which the objectivistic mainstream in the social sciences has missed because of an unnecessarily restrictive methodology.

## *Systematic perspective*

What are the ethical foundations of the 'globalised' world system to which we seem to be moving and which will determine our collective fate? For the Frankfurt School and for Communicative Ethics this is a question which acquires its urgency not so much on theoretical as on practical grounds. After the world wars of the past century and the less than auspicious start to the present one, the 'legitimation crisis' afflicting Western societies (and even more so the international system) is not something that needs to be 'proved' – it can be read about in the papers every day. Neologisms like '9/11', 'WMD', 'militarized anthrax', 'war on terror' are a reminder that, in an increasingly fractious and conflict-ridden world, ethics (or rather its obvious absence) has become an issue of global import. This is perhaps why the popular hopes sometimes projected onto Communicative Ethics have come to acquire, at times, almost messianic overtones. („Two world wars and persistent regional conflicts made the 20th century one of the most violent periods in human history. Prof. Habermas, who lived in Germany during World War II, has focused his life's work and study on how to create an ideal, public-minded society, free of violence and oppression. His theories of Communicative Action and Discourse Ethics model the pursuit of mutual understanding and agreement as a basis for more democratic social communication." San Diego; also Borradori 2003)

But Communicative Ethics is not so much an 'answer' to this 'world problem' (no merely academic discussion could possibly get away with such pretentions) as it seeks to rehabilitate, within the thoroughly relativistic, atomised and commercialised university and media system of the West, the „grounding of normativity itself". (Dallmayr 1990, 3) How does it do that? „By presenting a linguistic-analytic foundation of ethics and social theory" capable of taking over the role of a „metatheoretical foundation for the social sciences", as Wellmer puts it. (Wellmer 1990, 296.)

For all that, this 'detranszendentalisierte Vernunft' (Habermas 2005, 27) does not spring fully-formed upon the world stage – like Athena from the head of Zeus –, and the substantive side is more modest than its public image would make one believe. The intuitions which guide it lie in German Idealism, and in a 'Continental' tradition which sees the moral foundations of democracy not in 'unified science', positive law and unbridled individualism, but in an intersubjectively produced consensus which is always fragile, and at times – especially at a time of crisis – in need of re-negotiation, in a process which 'in the final analysis' must be based on a universalistic

ethic if it is to remain non-violent. That is, it holds, just like Kant did two centuries ago, to a 'categorical' difference between theoretical and practical discourses. This it no longer does dogmatically, from the point of view of a 'first philosophy', or a 'prima philosophia', but rather in cooperation with those areas of the social sciences (linguistics, some areas of Analytic Philosophy, Psychology, child development) which have made it possible to re-examine some old topics in the area of 'mind', 'psyche', and the pragmatics of language use, while at the same time overcoming the positivistic separation of normative ethics and empirical social theory that has dominated these areas for most of the last century. Piaget's and Kohlberg's studies of cognitive and ethical learning processes in children, Chomsky's extention of traditional linguistics into areas where universal aspects of language acquisition and production have swung into view, communication processes in higher primates other than ourselves, Austin's and Searle's generalisation of Wittgensteinian 'language-games to a general theory of 'speech acts', are all probing aspects of 'communicative action' in our own species which are both universal (valid for all competent adult speakers) and at the same time the product of a contingent evolutionary or developmental process, the stages of which can be 'reconstructed' empirically. (Hence: competences which are both 'universal' and 'pragmatic' at the same time.)

If the intersubjectivity of meaning, as an analysis of even the simplest of speech acts seems to show, is based on more than the transferral of cognitive-technical information on the model of the goal-oriented individual seeking to maximise private interest (Grice 1971), then norms and values, as well the 'real-world' process of their thematisation, can no longer be declared 'meaningless' on the positivist model.

But Communicative Ethics and the substantive conception of the relationship between ethics, morality and political legitimacy on which it is based (Habermas 1991) goes further than the 'critique of positivism' as this was articulated during the nineteen-sixties. (Adorno 1972) The (social) reproduction of a form of life such as our own seems to be tied to the maintainance of an intersubjectivity of meaning which cannot be stripped of its moral-ethical components without leading to the kind of 'life-world' pathologies so typical of our age: neuroses and other forms of mental afflictions at the level of the psyche, 'legitimation crises', competing fundamentalisms and the danger of (civil) war at the level of politics.

No modern society seems able to maintain political stability over time once the 'lifeworld' of its citizens has become so thoroughly colonized by technical-instrumental and commercial imperatives that the core areas of

primary socialisation (family, school, youth organisations, education) are no longer able to cater for the 'biological-primal' need for identification, mimesis, and recognition. From this point of view – from the point of view of the 'anthropological' need for 'identification' – the 'grand narratives' of the past, culminating in the semi-secularised 'dialectical' constructions of German Idealism, were a lot more functional than the 'alienating' culture of a technocratic civilization based on the adoration of new and bellicose idols: those of possessive individualism, technical-bureaucratic control, economic expansionism.

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