ETHICAL LIFE AND A DISCOURSE THEORY OF MORALITY

DOES HEGEL'S CRITIQUE OF THE MORAL POINT OF VIEW APPLY TO HABERMAS' DISCOURSE THEORY OF MORALITY?

In recent years, there has been a predominant tendency to pay renewed attention to Hegel’s critique of the moral point of view. In the following, I intend to demonstrate the enduring relevance of Hegel’s critique towards uncovering the theoretical discrepancies that permeate the formalistic framework of deontological proceduralism. By making Jürgen Habermas’ discourse theory of morality my point of reference, I will argue that a deontological proceduralism tends to undermine a crucial aspect concerning the realization of moral self-determination. More precisely, while Habermas claims that a normative theory of morality can be properly held under contemporary conditions only by attending to the impersonal procedures and presuppositions that inform the discourse structure of communicative action, I will demonstrate how this discourse-theoretical imperative is ultimately misleading. Moreover, with Hegel, I aspire to explain how a discourse-theoretical approach to morality will not be able to construct a formalistic moral point of view without presuming that certain contingent sociohistorical circumstances and communicative structures already are established, whereasupon this inevitably involves assuming the validity of certain moral norms as a condition of its own intelligibility.

Kant effectively concedes this commitment to prior normative assumptions under the guise of the ‘fact of reason’, whereas a discourse theory of morality, as Axel Honneth brilliantly has pointed out, tends to obscure it “through its seemingly innocuous reference to the need for ‘complementary forms of life’” (Honneth 2014:815).

So, does Hegel’s critique of the moral point of view apply to Habermas’ discourse theory of morality? Although self-consciously Kantian in its commitment to a universalistic interpretation of impartiality and self-determination, Jürgen Habermas has argued to the contrary. Indeed, Habermas believes that his re-appropriation of the Kantian notion of practical reason within a communicative framework has vindicated his discourse theory from any vulnerability in regards to Hegel’s critique. Moreover, Habermas has even claimed that his discourse theory of morality not only harbors, but also carefully appropriates the fundamental motif of the Hegelian legacy. More precisely, it incorporates the reciprocal imputations and shared presuppositions any moral agent inevitably makes when they seek to produce a mutual understanding within the boundaries of a concrete lifeworld. By demonstrating how the basic principle of moral deliberation can be explicaded in terms of the normative content of the unavoidable presuppositions of communicative action, Habermas claims that his discourse theory “picks up the basic Hegelian aspiration to redeem it with Kantian means” (Habermas 1990:201). Or perhaps more profoundly reiterated in *Justice and Application: A discourse theory of morality*, Habermas explains, takes its orientation for an intersubjective interpretation of the categorical imperative from Hegel’s theory of recognition but without incurring the cost of a historical dissolution of morality in ethical life. Like Hegel it insists, though in a Kantian spirit, on the internal relation between justice and solidarity. (Habermas 1993:1)

In accordance with Hegel, Habermas shares a profound commitment to the historically conditioned character of human understanding, and both philosophers are equally concerned with coming to grips with an increasingly unsettling modernity. For Habermas, as well as for Hegel, the most significant feature of the historical world is the symbolic structure of what social agents intersubjectively share. As agents capable of speech and action, we always already find ourselves within a linguistically structured lifeworld, reproduced through the medium of language, communication, purposive action and social cooperation. However, once we recognize the unavoidable historical origin and cultural background of our standards of normativity, the question soon arises “whether the standards that are valid for us may also claim to be valid in and for themselves” (Habermas 2003:184). Processing this unavoidable tension emerging between mere social facticity and normative validity led Hegel to the conclusion that any abstract, procedural model of morality must not have the last word. However, and as Habermas quite rightly replies, “[U]nless we believe in the progress of Absolute Spirit, we cannot rely on the concrete ethical life of existing institutions and prevailing traditions, either” (Habermas 2003:47).

Despite the aforementioned worries about abstract formalism, Habermas concurs this historicist problematics inherent to the Hegelian legacy as a profound reason to relax back into the Kantian realm of deontological proceduralism. Moreover, Habermas has argued that the historical dissolution of morality in ethical life, i.e., confining morality within the contextual boundaries of a concrete sociohistorical lifeworld, ultimately implies its submission to the Absolute: “[T]he construction of a transition from objective spirit to absolute knowledge” (Habermas 2003:209). A discourse theory of morality, by contrast, solves the aforementioned tension by providing a procedural model that generalizes, abstracts, and stretches the presuppositions of context-bound communicative action by extending their range to include competent subjects beyond the provincial limits of their own particular forms of life” (Habermas 1990:202).

Moral norms justified and ascribed normative validity, as distinguished from those norms that are merely socially practiced, owe their “abstract universality to the fact that they withstand the universalization test only in a decontextualized form” (Habermas 1993:13).

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Although Habermas provides a sophisticated, though
intricate, answer to Hegel’s critique of the moral point of view, his solution is not without its own theoretical difficulties. In the following passages (II and III), I will argue that Habermas is ultimately mistaken. More precisely, I believe this mistake in the end relies on Habermas’ suspiciously misleading interpretation of Hegel’s arguments against the demands of any abstract and procedural model of morality. By providing a more sympathetic reading of Hegel’s critique, I will repudiate Habermas’ (deceptive) claim that the mature Hegel in *Philosophy of Right* does “not allow the subjectivity of socialized individuals to be exhausted by the reflexive mobility of intersubjectively shaped forms of consciousness” (Habermas 2003:206). Indeed, I will demonstrate how Habermas is incorrect in proclaiming that Hegel is solely committed to containing this subjectivity in a more stable, rational substance to “be judged only from the viewpoint of absolute spirit” (Habermas 2003:206).

II

From the perspective of the philosophical discourse of modernity, Habermas portrays Hegel’s attempt to criticize and transcend the misleading dualisms postulated by Kant’s monadic model of moral consciousness, as a regressive failure. According to Habermas, Hegel originally had the means to introduce an intersubjective constitution of normativity, but rather, and eventually opted for an objective idealism, in which the realization of the moral self-determination subject within the communicative structures of ethical life is conceived “merely as a stage on the way from objective to absolute spirit” (Habermas 2003:177). In short, by attempting to justify the philosophical underpinnings of modern ethical thought, Hegel (according to Habermas), counters and somewhat hesitantly succumbs to the temptations of historicism: The normative content affecting our moral deliberations are simply explained as resulting from a self-producing history of rationality, in other words, from the irrefutable unfolding of the Absolute spirit.

Habermas understands the notion of ‘Absolute spirit’ as a repressive process consisting in the consuming activity of self-discovery. Moving beyond the level of fragmented subjects, the absolute is construed as “the mediating process of a relation-to-self that produces itself free from conditions” (Habermas 1987:346). In this manner, the absolute totality allows nothing external to itself to exist. It internalizes what previously had been external differences between subject and object; differences usually preserved by being “mediated [through] language, labor, and mutual recognition” (Habermas 2003:177). Not too surprisingly, Habermas suggests conceiving this absolute totality, through the metaphor of a totalitarian state, in which all public forms of communication and discursive practices are effectively eliminated as means guiding a rational collective will-formation. Indeed, Habermas finds it quite difficult to understand how the Hegelian state could reconstruct, let alone discursively redeem, any form of moral self-determination that does not end up embracing an emphatic institutionalism, prioritizing “the higher subjectivity of the state over the subjective freedom of the individual” (Habermas 1987:40).

How does Habermas end up claiming that the author of *Philosophy of Right* essentially anticipates a repressed intersubjectivity? Well, we can reconstruct Habermas’ reasoning as follows: Initially, a realization of moral self-determination within the realm of the *objective spirit* essentially involves that the moral agent recognize herself as a part of a larger whole. In this manner, the collective spirit of a historically situated community becomes fused together through communicative relationships and social interaction to form intersubjectively shared forms of life, mentalities and traditions. More easily put, it simply provides the background knowledge that permeates not only the mere contingent dispositions and convictions, but also and more profoundly, the hermeneutical self-understanding of a person, her character and way of life. Objective spirit, then, is simply meant to designate how differentiated moral agents become interlinked through institutionalized interactions into a collective will-formation, i.e., a community.

Habermas immediately points out a disquieting implication following from this historical and symbolic objectification. Although our normative standards of rational deliberation and evaluation – standards that require us not to accept anything as true or binding, efficient or valuable unless it is justified by our own lights – are firmly anchored in our modern form of life, these standards should not be considered as exhaustive. If they were, however, considered exhaustive – in the sense that they were portrayed as identical with a certain historical community’s self-understanding and their particular and socially accepted form of life – then no genetic account of how people like us came to affirm the prevailing normative standards, “nor any hermeneutic reassurance of our modern identity, could save our claims to validity from the suspicion of being as context-dependent as those superseded standards” (Habermas 2003:199fn). Indeed, any such form of historical dissolution or naïve conflation of
a normative standard and a sociocultural form of life will inevitably blur the distinction between that which already has social acceptance and that which relies on a discursively (argumentatively) justified validity.

The only way for Hegel to avoid this disquieting im- plication which the agent always already more, with respect to their (potential) rational justification. In the Philosophy of Right, Hegel conceives of this learning process when he proclaims that our comprehension of normativity, and by extension, the ethical (das Stilliche), as our “general mode of behaviour, appears as custom (Sitten); and the habit of the ethical appears as a second nature” (Hegel PR §151). In the addition to this paragraph, Hegel brings up the subject of learning when he states that,

Education (Pädagogik) is the art of making human beings ethical: it considers them as natural beings and reveals how their original nature can be transformed into a second, spiritual nature so that this spirituality becomes habitual to them [...] to this extent, habit moral of ethical individuals, just as it is the ethical sense of philosophical thought, since the latter requires that the mind [der Geist] should be trained to resist arbitrary fancies and that these should be destroyed and overcome to clear the way for rational thought. (Hegel PR §151A, see also §187)

Hence, Hegel understands the learning process as producing a self-reflexive awareness of how ‘we’ have come to accept the normative standards we now regard as binding, and thus apply what ‘we’ accept as its rational categories to result from what we can recognize as “a process of learning” (Habermas 2003:199). This is a process that essentially is meant to enable the moral agent to scrutinize those prevailing standards and those communicative structures, which the agent always already more, with respect to their (potential) rational justification. In the Philosophy of Right, Hegel conceives of this learning process when he proclaims that our comprehension of normativity, and by extension, the ethical (das Stilliche), as our “general mode of behaviour, appears as custom (Sitten); and the habit of the ethical appears as a second nature” (Hegel PR §151). In the addition to this paragraph, Hegel brings up the subject of learning when he states that,

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and preferences [...] which have being in and for themselves" (Hegel PR§144) can only be properly explained embedded within an intersubjective and inclusive format. More precisely, Moggach argues (pace Habermas) that the Hegelian notion of ‘absolute’ can only be properly grasped when portrayed in the form as a "constitutive framework for the collective, social achievements of self-understanding and liberation and thus is thoroughly intersubjective" before adding that "the infinite becoming of the Hegelian absolute no longer appears as a transsubjective intrusion or the work of a cosmic subject, which heteronomously determines individual action" (Moggach 1997:551). Again, to reiterate, the Hegelian notion of the absolute is basically meant to signify the historically conditioned character of human understanding, i.e., how our moral and cognitive capacities are permeated and unavoidably conditioned by cultural mentalities, historical reflections, ethical convictions and other normative (value-laden) orientations.

In line with his theoretical philosophy, Hegel comprehends social reality by constraining received claims about entities via their conceptual articulation. That is, Hegel describes our relation to social reality as a comprehension (Vorstellung) of what is, yet comprehension is not the positing (Setzung) of reality out of concepts, but a translation process (Übertragungsvorgang) in which material generated empirically and historically is "brought to the concept (auf den Begriff gebracht)" (Buchwalter 2012:426).

Absolute totality, then, is simply meant to designate the overall framework of our historical consciousness, that is, our moral deliberations and interpretations always occurs within the institutionalized interactions we already are part of, and are thus determined by our sociohistorical and cultural situatedness. As Hegel notes, these communicative relationships and social practices [denote] drive[s] and representation[s] (Vorstellung(en)), or simply the fact that the consciousness is filled in such a way that is not derived from its own self-determining activity as such (Hegel PR§15). For Hegel, human beings are not just naturally conditioned or endowed with pure intellectual aspirations or any legal prescriptions. Equally important, in our context, are those drives towards – what we in modern terms perhaps would describe as – social psychological dispositions: "a drive towards sexual love, a drive towards sociability" (Hegel PR:§19). These are all denoting intersubjectively relations and social orientations that must be acknowledged not just as elements of the concrete situation to which an universally prescribed morality applies, “but as codeterminers of their meaning" (Warnke 1995:135). In short, absolute totality signifies how the (almost mundane) framework in which the intersubjectivity of a shared lifeworld, rooted in the reciprocity and interchangeability of the perspectives of different moral agents, is interconnected with reference to the standards deployed by the prevailing social community.

However, how exactly is this understanding of the absolute totality any different from that from which Habermas portrayed as a self-producing and unchangeable domain that infiltrates the realm of an institutionalized opinion and will-formation as an externally imposed corrective? How can this way of construing the absolute be any different from those elements setting about the accumulation of indoctrinated masses that are seduced by totalitarian or authoritarian forces? Well, there are at least two important aspects that differ from Habermas’ understanding. Firstly, it differs from Habermas’ understanding by not construing the absolute totality as something entirely self-constituting. In other words, our understanding of the absolute totality as the overall framework of historical consciousness does not in any way exclude human participation; rather, social interaction is constituted as the most essential element. In fact, as Charles Taylor points out, Hegel describes this totality as a duality, as something the moral agents bring “about through [their] activity, but [also] as something which rather simply is” (Taylor 1979:89). More precisely, a modern ethical community must provide for the individual moral agent self-satisfaction by enabling people, through different social institutions and practices, to shape and actualize their own moral capacities (see Hegel PR§187). Hence, these institutions and practices can only be sustained through persistent human activity, but still must be conceived as something that already is “for it is only the ongoing practice which defines what the norm of our future action must seek to sustain” (Taylor 1979:89).

Thus, the absolute totality does not imply a determinate doctrine or procedure for deducing valid moral norms as unconditional and universal prescriptions. Rather, what we are left with is a framework that simply tries to say something about the ascertaining conditions of the possibility for moral reflection and self-determination confined to the discourse of modernity. On this account (pace Habermas), the absolute is that which is “always already presupposed in the movement of thought, permeating the path from experience from beginning to end” (Dallmayr 1987:690).

Secondly, in contrast to Habermas’ conception, the overall framework of the absolute cannot be rendered as something solely externally imposed upon unreflective subjects. A process of individuation through socialization...
within a sociohistorical community is meant to make the moral agent aware of those normative expectations and commitments that are mediated through certain forms of social interaction. In this way the history of the ethical sphere is an unplanned learning process "kept in motion by a struggle for recognition, since the participants concern themselves with specific ways of applying an institutionalized norm according to their own respective situation and sensibilities" (Honneth, 2014:824). In this way, there is an unavoidable element of historical openness and dynamic, mainly because each member of a community is in a profound position to criticise, revise and modify the majority opinion through participation in public discourse. It is by no means coincidental that Hegel identifies the Volksgeist with a deliberative public sphere (Offentlichkeit), for it is only through "a forum of live exchanges and collective deliberations in which the participants instruct and convince one another" (Hegel PH §509), and thus can establish and reproduce the self-understanding of a community constituted by shared traditions (see Buchwalder 2012:95). The normative issues about which we dispute, as participants in public discourse, are not transformed from discourse to lifeworld. Rather, arguments and deliberations about these normative issues are inevitably mediated through a communicative framework disclosed by its historical origins and cultural background. (It is important to note that the issue for Hegel is not the denial of the abstract achievements of any discursively produced agreement, but rather the accommodation of the attitudes and sentiments required for their communicative appropriation.)

The preunderstanding that the moral agents bring with them into the context of practical discourse, then, is always already pervaded and shaped by this historical community, whether the agents are aware of it or not. And even though this interpretative framework of the absolute is part of this world, and therefore subject to change through human activity, it is only distinctive parts of the whole that are available for modification through appropriation, and never the whole structure, all at once. That is, any examination of the principles underlying the whole of any communicative enterprise situated in historical time and socialized space, is always dependent upon the pre-established understanding of self and world inherent to one's own linguistically structured lifeworld. But how can the normativity that is unavoidable from the perspective of the members of this lifeworld be reconciled with a formal procedure that aspirers to abstract achievements of neutrality and impartiality through the discursive structure of public communication? Well, as we mentioned above, Hegel's response to this issue is that any uncoupling of lifeworld and the presuppositions of a moral point of view, is sooner or later, but still inevitably, bound to presume this pregiven understanding in order for the formal procedure of self-determination to be intelligible in the first place.

So, reiterating our opening question, does Hegel's critique of the moral point of view apply to Habermas' discourse theory of morality? Well, as long as Habermas believes that the only way for a discourse theory of morality to be effective in practice requires a break with all of the unquestioned truths of an established, concrete ethical life, in addition to distancing oneself from the context of life with which one's identity is inextricably interwoven (Habermas 1993:121), then, I will argue that he is prone to Hegel's critique. Moreover, by distancing himself from any attempted "historical dissolution", Habermas has to compensate for the loss of a concrete ethical substance sustained by a privileged access to the local conventions and historical colouration of an intersubjectively shared lifeworld. By requiring that participants engaged in an impartial standpoint for moral deliberation through practical discourse necessarily abstract themselves from their problematic horizons of a concrete historical form of life, this access suddenly becomes dissociated. Habermas, therefore, makes up for this loss of a concrete ethical substance by arguing that any procedural model of morality are dependent on complementary forms of life "that are rationalized in that they make the only way open to them is that of a discursively produced agreement" (Habermas 2003:274). The formulation of communicative action by discursive means, he continues, "might by now have penetrated so deeply into the lifeworld that the network of concrete normative beliefs has not remained unaffected by this move toward abstraction" (Habermas 2003:275). That is, Habermas basically solves this problematic by claiming that the practice of a postconventional discourse of justification is now an integrated "part of the communicative form of life, and this is the only form of life available to us."

However, this formulation gives Hegel a unique opportunity to turn the tables on Habermas. Indeed, if Habermas concedes that his discourse theory of morality ultimately is dependent upon the rationalization of complementary forms of life, then he is subsequently forced to presuppose that the principles of neutrality and impartiality prior to any discursively produced agreement seems to be on the way to becoming rational, even without our consent, as Habermas so acutely formulated it in regards to Hegel (see Habermas 2003:209). Indeed, it is quite difficult understanding precisely how Habermas shall go about defining these preceding conditions of rationality, without presupposing their validity and thus consequently reconstruct all previous development as leading to their emergence. What we eventually extract from these prior conditions, as Seyla Benhabib nicely proclaims invoking and echoing Hegel's critique, is only what we already have put into them (1986:255).
Only giving this reference does not nearly suffice to explain how much I stand indebted to Axel Honneth for this way of constructing the infamous paradox of normative rational autonomy.

A discourse theory of morality is sustained by the notion that claims to normative validity can only be justified in a particular form of practical discourse. On the basis of a formal pragmatic reconstruction of the implication of raising and justifying claims to validity, a discourse principle is formulated, which provides the procedure for an intersubjective construction of valid norms (see Habermas 1990:196–201).

Following Axel Honneth and Charles Taylor, the notion of objective spirit is meant to designate the philosophical undertaking that involves reconstructing the process of self-reflection undergone by reason during the stage in which it manifests itself through historically and culturally situated social institutions and communicative practices. Through these institutions and practices the spirit of a society is in a sense objectified. For a more precise definition see Taylor 1979:87ff; Honneth 2010:6ff.

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