

SOCIAL NORMS AND SOCIAL DISCOURSE

SOCIAL NORMS AND SOCIAL DISCOURSE
A CRITIQUE OF MORAL CONSERVATISM

By

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Abstract

The emphasis of this work is on the common theme found in the three recent works of Stuart Hampshire (Morality and Conflict), Alasdair MacIntyre (After Virtue) and Michael Walzer (Spheres of Justice). I call this theme "moral conservatism". While I believe that the "moral conservatives" are correct in their attempt to establish morality within society rather than in abstraction, their method of generating moral rules through social discourse seems to conflict with their own belief in certain vague notions of justice and equality.

On close examination the method of the moral conservatives appears to be hermeneutic in that it involves the re-establishment of appeals to tradition and authority within the context of discourse. Given this hermeneutic element I have found that Habermas's critique of hermeneutics can also be applied to their methodology. The result is a solution to the initial conflict. Habermas's analysis of universal pragmatics and the ideal speech situation provide a means of introducing constraints on the outcome of social discourse about norms. These constraints, because they are inherent in all social discourse, are universal. Nevertheless, they are not abstract in that they do not derive from an appeal to pure reason; rather, they are inherent in social discourse itself.

This modification of the moral conservatives' approach indicates the possibility of combining the concreteness of historical relativism with a universal element usually found in ahistorical and indeed antihistorical ethical theories.

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Introduction

An interesting theme has emerged in recent moral philosophy. It is one which represents a turn away from the contemporary ethical theories which are descendant from the enlightenment and which involves a turn toward regard for values as they are formed through societal traditions. This revitalized regard for tradition, as it is exemplified in the three most recent works of Stuart Hampshire, Michael Walzer and Alasdair MacIntyre,¹ is unique in that it is not of the typically politically conservative sort, but one that has a strong Aristotelian bent. And, for this reason, it can be termed "moral conservatism".

The works of Hampshire and Walzer are particularly intriguing in that regardless of their strong shift towards practical (Aristotelian) ethics, as well as their criticism of "rationalistic" ethics, they nevertheless maintain a hold on universal principles of morality. However, in their dissatisfaction with the enlightenment project, they do not integrate those principles into their central themes. Moreover, MacIntyre

goes so far as to suggest that "the Enlightenment project was not only mistaken, but should never have been commenced in the first place."² While I must agree with the moral conservatives that contemporary theory has drifted too far away from the practical ethics of the "life-world" and towards "abstract, computational" moralities, I will hold that the universal principles have an important role to play and should therefore be integrated into (and not abandoned by) this new sort of moral theory.

This, of course, is a considerable request which brings with it many problems. Centrally, it raises the question of what sort of relationship is possible between universal moral principles and the practical processes which form the various goods and values of individual societies. This is a question which the moral conservatives have too quickly forgone - but which has not been omitted from all schools of contemporary thought. The critical theory of Jurgen Habermas, for example, presents a fruitful avenue to explore in this regard. Habermas recognizes the necessity of explicating the relationship between universal principles and practical processes. Hence, it will be to his work that we will turn to for aid in attempting to bring together the two prominent aspects of the moral conservatives' work.

In the first chapter we will begin to explore the parallels in the moral conservatives' works by looking at their ambiguous attitudes to contemporary ethical theories. While there are, of course, differences to be found in each of their

projects, the similarities remain striking. In each we find, first, (specifically expressed at the onset of their books) their disenchantment with the ideas of the enlightenment. For MacIntyre, this is expressed by way of a "disquieting suggestion" that contemporary ethical theories are in a state of "grave disorder". Hampshire's first statement in Morality and Conflict is that to find credible moral theories worth developing we have to go back to Aristotle and Spinoza, particularly in "light of...contemporary philosophy".³ And Walzer begins his Spheres of Justice with an adamant declaration of distance from objectivist theories: "My argument is radically particularistic. ...I mean to stand in the cave, in the city, on the ground."⁴

Yet, both Hampshire and Walzer make reference to universal principles in saying, for example, that "men and women do indeed have rights beyond life and liberty"⁵, or more explicitly, that there are two sides to morality - "the very general theories, applicable to all mankind" as well as "the historically conditioned"⁶ moral traditions. But they do also add that the general ideas are too vague to be of much use to ethical thinking. In other words, their reason for avoiding these concepts is that they are not applicable to particular situations.

What does fit their bill are the values that emerge as a result of a given culture's historical tradition. In the second chapter we will continue the characterization of the moral conservatives in terms of their return to practical (Aristotelian) ethics, which, as will be seen, is a way of thought which has

great affinity with the hermeneutic account of understanding as described by Hans-Georg Gadamer. They each emphasize that we cannot easily leave the realm of social and historical understandings in making ethical decisions. It is only through our various cultural traditions that our values themselves come to be defined. However, these traditions are not static - they continuously develop and shape, the meanings which constitute their values or "social goods".

This continuous transformation within traditions leads the moral conservatives to recognize an accompanying continuity of conflict within societies. But this sort of conflict is not seen by the moral conservatives as problematic. It is actually a sign of the health of a society, in that it is a conflict about the meanings of the social goods which are developing along with the discourse of social meanings which constitutes them. Furthermore, because the moral conservatives do not give much weight to such things as human or natural rights, they hold that these social goods are fundamental aspects of the ethics of a community insofar as normative practices are justified with reference to those historical meanings that have evolved as parts of a community's tradition.

By looking (in the third chapter) at Habermas's objection to Gadamer's claim of the universality of hermeneutics we will be able to clearly identify the point at which universalistic principles are necessary to the type of theory which the moral conservatives have in common with Gadamer. While Habermas agrees

with Gadamer's explication of understanding as it applies to the everyday communication that does help to form social meanings, he also recognizes that it cannot account for external conditions that might cause systematic misunderstandings within that communication.

In the final chapter we will explore Habermas's suggestion of the ideal speech situation - not as the unrealistic utopian hope of an absolutely free and equal community, but as a presupposition unavoidably held in true communication. While the presupposition of the ideal speech situation is usually (and possibly always) counterfactual, it will be shown that its normative conditions are presuppositions of the communicative moral theory which the moral conservatives, themselves, employ. The peculiar nature of the ideal speech situation will present an interesting alternative to those "abstract " ethical theories which the moral conservatives claim to reject.

NOTES TO THE INTRODUCTION

1. I am here referring specifically to Stuart Hampshire's Morality and Conflict (1983), Michael Walzer's Spheres of Justice (1983) and to Alasdair MacIntyre's After Virtue (1984).
2. A. MacIntyre, After Virtue (1984) p. 118.
3. Hampshire (1983) p. 10.
4. Walzer (1983) p. xi.
5. Ibid. p. xv.
6. Hampshire (1983) p. 2.

Chapter I The Moral Conservatives' Ambiguous Attitude Toward Contemporary Ethical Theories.

When the pragmatist says "All that can be done to explicate 'truth', 'knowledge', 'morality', 'virtue' is to refer us back to the concrete details of the culture in which these terms grew up and developed", the defender of the Enlightenment takes him to be saying "Truth and virtue are simply what a community agrees that they are". 1

Though the above passage was intended by Richard Rorty simply to express the sort of trivializing criticism that is at times directed at his work, what it also well expresses is the ambiguous tone evident in some of the moral conservatives' rejections of contemporary ethical theories. This tone can be seen as emerging in two ways: Firstly, while all three reject deontological and consequentialist ethical theories they do so only after careful scrutiny and in the end find that values or virtues "are simply what a community agrees that they are." Secondly, both Hampshire and Walzer do make various references to universal notions such as freedom and justice which they do not seem to want to lay aside. This wavering stance leads to interesting questions relating to the moral conservatives' theories and will be further discussed below.

To begin with, though, it would be fruitful to look at the central criticisms launched against contemporary moral theories and determine why they are rejected. These reasons for the moral conservatives' distaste for the heirs of the Enlightenment will in turn serve to begin the outline of their common themes.

I.1 Against "Abstract and Computational" Theories

With regard to their attitude towards utilitarianism, Hampshire, MacIntyre and Walzer are in complete agreement. MacIntyre puts it most succinctly:

different pleasures and different happinesses are to a large degree incommensurable: there are no scales of quality or quantity on which to weigh them....To have understood [this] is of course to have rendered those concepts useless for utilitarian purposes. 3

What MacIntyre is pointing out is that there is no one "good" which this teleological program can have as its end and in terms of which the effects of various situations can be calculated. Agreement from Walzer comes insofar as he sees all goods with which distributive justice is concerned as conceivable only in terms of the social meanings which create them. Thus "all distributions are just or unjust relative to the social meanings of the goods at stake"⁴ and not in terms of one final good.

Hampshire fills out his argument against the abstraction which utilitarianism requires within his more general argument against any sort of "abstract computational morality"⁵ - which, for him, also includes any sort of Kantian ethic. He suggests

that in accordance with the methods of both sorts of theories the first step required in evaluating a given set of circumstances is that of an abstraction from the multiplicity of different features which accompany it. This would eliminate "the worst uncertainties of living," thus leaving simple, manageable calculations. The features that have been excluded, though, are those which could constitute "moral issues" and which should therefore be allowed to influence one's response to a situation.

The case against abstract evaluation is furthered by Hampshire through his discussion of the problem of "false individuation". This argument applies not only to the oversimplification involved in describing a situation, but also to the representation of our own behaviour. Hampshire describes the problem as follows:

Just as we may mislead ourselves by representing situations confronting us as constituted by a definite and final set of elements, so we may also mislead ourselves by representing a tract of our behaviour as constituted by a definite set of distinct actions; how the behaviour over a period of time is broken up into distinct actions is often not unproblematical, even apart from the familiar fact that the same action usually admits of many different descriptions, and that the differences are often relevant to moral judgements. 6

Abstraction in ethical evaluation thus can impose "prefabricated" divisions onto a person's conduct or activities which might otherwise be seen as continuous. This point is very much in accord with MacIntyre's Aristotelian view of a person's ethical situation insofar as a particular action cannot be seen as isolated from the person's life or from the context of her

community.

There is another, very different, reason introduced by Hampshire against "abstract and computational" ethics, which is also shared, in interesting ways, by both Walzer and MacIntyre. It is simply that there arise moral problems which involve conflicts that are irreconcilable. They are so because conflicting absolute moral claims lie at their roots. While moral theories are of course supposed to resolve ethical conflicts, they can only resolve these types of conflicts by denying that opposing claims are each unconditioned and by supplying one overriding principle of conduct. While Hampshire does deny that there are such moral ideals which would resolve the conflicts he also finds that there is no a priori argument which shows that ineliminable conflicts are to be expected. He therefore suggests that "it is part of the force of the denial of harmony that no sufficient reason of any kind is on occasion available to explain a decision made after careful reflection in a situation of moral conflict."⁷

MacIntyre, on the other hand, devotes a great deal of time toward showing us why it is that we as residents of modernity find ourselves faced with irreconcilable moral conflicts. His suggestion (which, as he from time to time reminds us, is only a suggestion) is that key episodes in social history "transformed, fragmented and...largely displaced morality - and so created the possibility of the emotivist self."⁸ That history (which has a peculiar resemblance to the history of philosophy), in brief outline, is as follows: We begin with Aristotle's

Nicomachean Ethics, the basic structure of which dominated the European Middle Ages. It is a structure which, excluding appended theistic elements, is expressible through a "threefold scheme in which human-nature-as-it-happens-to-be (human nature in its untutored state) is initially discrepant and discordant with the precepts of ethics and needs to be transformed by the instruction of practical reason and experience into human-nature-as-it-could-be-if-it-realized-its-telos."9 Next come the medievals who, while believing the scheme to be a part of revelation, hold it intact and think it to be rationally defensible. But, with the arrival of Protestantism and Jansenist Catholicism comes a new conception of reason: that it cannot provide a comprehension of one's true end. Reason becomes restricted to a calculative, relational role. It no longer has the power to make assertions about ends, only means. As well, MacIntyre notes that Pascal found that a central achievement of reason was the recognition that our beliefs are ultimately founded on nature, custom and habit. It is at this point, then, that MacIntyre finds the breakdown of ethics. The elimination of the notion of an essential human nature combined with the exclusion of the conception of a telos leaves the scheme in fragments, fragments which MacIntyre claims the 18th Century moral philosophers and their successors tried to recombine towards the creation of their various moral theories.

What they tried to accomplish, according to MacIntyre, were inevitably unsuccessful projects - two examples of which

are Kant's moral philosophy and utilitarianism. The former does not work because Kant took the moral injunctions (which notably are simply those which he inherited from his Lutheran upbringing) and attempted to find a rational basis for them in a particular understanding of human nature. Those moral injunctions which Kant adopted were originally designed to be discrepant with human nature in order to transform it towards its telos. This discrepancy could not be removed by revising beliefs about human nature. Hence, MacIntyre concludes that Kant's project was an impossible one.

As for utilitarianism, MacIntyre suggests that Bentham's project was also an attempt to put the fragments back together insofar as its scheme reintroduced a teleology to vindicate the inherited moral injunctions. But, as we saw at the start, MacIntyre also finds this theory unsatisfactory in that it posits only one good. What MacIntyre finds to be most objectionable, however, is that modernity has inherited the plurality of theories which resulted from the various recombinations of parts of the Aristotelian ethics - all of which combine to form

the distinctly modern standpoint...that which envisages moral debate in terms of a confrontation between incompatible and incommensurable moral premises and moral commitment as the expression of a criterionless choice between such premises, a type of choice for which no rational justification can be given. 10

While on the one hand Hampshire seems to resign himself to a situation of perpetual moral conflict, MacIntyre, on the other hand, sees the conflict as the unfortunate result of the

distortions that have happened to Aristotle's ethics. He also holds that however fragmented Aristotle's theory has become, its thread is continuous through our history, and that it is to this theory that we need to turn. It is also true, however, (as MacIntyre himself says) that MacIntyre's appropriation of Aristotle's moral philosophy itself is not completely faithful to Aristotle, but his understanding remains an interesting one which will require further discussion in the following chapter - wherein the characterization of the moral conservatives will continue.

At this point, however, we should note that we are dealing with two sorts of situations of conflict. The first, as described by MacIntyre, is the one in which the emotivist individual lives, namely, that of modernity. This one is also accounted for by Hampshire as the one described by the type of moral philosophy for which "the only finally acceptable conflict is between utility and justice."¹¹ The second, is one which the moral conservatives find not only acceptable, but desirable. It is a conflict which indicates that one's tradition is alive and well in that social meanings are continuing to develop. As MacIntyre puts it, "traditions, when vital, embody continuities of conflict."¹²

I.2 Universal Aspects of Moral Conservatism

While the moral conservatives are all emphatically critical

of "abstract, computational" moral theories, they themselves retain some universal notions. Hampshire is the most frank about the ambiguity. He recognizes "two faces of morality: the rational and articulate side...[and] the historically conditioned."¹³ However, he, like Walzer, says very little about the "rational" side - other than asserting such things as justice is always recognized and that "justice is the disposition to treat all men and women alike in certain respects, in recognition of their common humanity."¹⁴ Walzer and Hampshire, though, do both give reasons for their reluctance in developing this "upper level" of moral theory. They find that "rational argument is not available below the level of the general requirements of fairness and utility."¹⁵ For them, as for MacIntyre, morality cannot be separated from the socially constituted, shared understandings of a given society. As Walzer says, "a given society is just if its substantive life is lived in a certain way - that is in a way faithful to the shared understandings of the members."¹⁶

But even this statement retains the ambiguity of the "two faces of morality" - it not only contains the guidelines for a particularistic, substantive theory of justice, it also contains a directive for any society - a "non-substantive" theory of justice. By this I mean that Walzer's directive has a universal aspect insofar as it is meant to apply to all societies. Even though the prescription is too vague or under-determinate to describe what a given society would actually look like, its import is not to be undervalued. It is what Bernard Williams has

called, an "absolute principal with a variable content."¹⁷ The actual "goods" of societies may vary from one society to the other, but the principle remains the same.

This is an interesting characteristic to find in Walzer's theory in that if we flesh it out, we can begin to see how as a universal principle it points to certain conditions that should obtain in (or that his theory presupposes for) any given society. They are conditions that would be conducive to the formulations of "social meanings" or "shared understandings" in a manner faithful to how these two phrases themselves are understood. In other words, in order for a given society to be "faithful to the shared understandings of its members" it must first meet the conditions that would allow those meanings to come about through an authentic or just discourse.

Although MacIntyre, unlike Hampshire and Walzer, does not make overt references to the "rational face" of morality as a part of his own theory, he also can be seen to exhibit signs of such a side. Richard Bernstein, for example, argues¹⁸ that there is an underlying universal principle in After Virtue which is never made fully explicit. It appears in passages such as the following discussion of Aristotle's notion of political freedom:

The free self is simultaneously political subject and political sovereign. Thus to be involved in political relationships entails freedom from any position that is mere subjection. Freedom is the presupposition of the exercise of the virtues and the achievement of the good.

With this part of Aristotle's conclusion we need

not quarrel. What is likely to affront us - and, rightly - is Aristotle's writing off non-Greeks, barbarians and slaves, as not merely not possessing political relationships, but as incapable of them. 19

Taken out of context, this passage makes almost explicit the principles of freedom and equality which MacIntyre seems to presuppose throughout After Virtue.²⁰ The force of this assumption is such that when one reaches the end of the work and MacIntyre suggests that "what matters at this stage is the construction of local forms of community within which civility and the intellectual and moral life can be sustained"²¹ it is obvious that these communities, with their entailments, are being prescribed for everyone.

Explicitly, MacIntyre rejects the Enlightenment project out of hand, but implicitly, he incorporates one of its major principles. As Bernstein points out, the rejection is understandable in light of MacIntyre's "seeing that the result of one interpretation of the principle of universalization...has been to obscure and obliterate the particularity and specificity of morality which is grounded in communal traditions."²² But, while the Enlightenment is a part of MacIntyre's (and Walzer's and Hampshire's) own history, the above realization seems to have caused all three moral conservatives to over-react to and underplay (or even become hostile to) that tradition from which they themselves emerge. Consequently, our problem becomes that of making sense of the resultant vague universal references and filling them out. This task, though, must be completed in light of their understanding of the particularistic side of morality -

to which we now turn.

NOTES TO CHAPTER I

1. R. Rorty, "Pragmatism, Relativism, Irrationalism" from Consequences of Pragmatism p. 173.
2. Hampshire and MacIntyre take greater pains with their critiques than does Walzer who more quickly dispenses with utilitarianism and does not discuss Kant.
3. MacIntyre (1984) p. 64. see also Walzer (1983) p.168.
4. Walzer (1983) p.9.
5. Hampshire (1983) p. 112ff.
6. Ibid. p. 114.
7. Ibid. p. 118.
8. MacIntyre (1984) p. 36.
9. Ibid. p. 53.
10. Ibid. p. 39.
11. Op.cit. p. 165.
12. MacIntyre (1984) p. 222.
13. Hampshire (1983) p. 2.
14. Ibid. p. 136. see also Walzer (1983) p.xii.
15. Ibid. p. 136. see also Walzer (1983) p. xv.
16. Walzer (1983) p. 313 (my emphasis).
17. From the unpublished Ryle lectures, Trent University (1985).
18. R. Bernstein, "Nietzsche or Aristotle?" in Philosophical Profiles (1986) pp. 136-138.
19. MacIntyre (1984) p. 159.
20. Another notable example occurs in MacIntyre's discussion of Kant (p. 46).
21. MacIntyre (1984) p. 263.
22. Bernstein (1986) p. 137.

Chapter II Moral Conservatism and Hermeneutics

While characterizing the moral conservatives' thought it will be helpful to compare it with the philosophical hermeneutics of Hans-Georg Gadamer, insofar as the moral conservatives' commonalities will be seen in many ways to constitute a hermeneutic approach. To this end, we begin by outlining the relevant features of Gadamer's hermeneutics.

II.1 Gadamer's Hermeneutics

Philosophical hermeneutics is said by Gadamer to be a distinctive sort of hermeneutics in two important ways. Firstly, it is not simply a method of understanding to be used in order to avoid misunderstanding as Schleiermacher had described it.¹ Secondly, and more importantly, it is not a method at all - but "a theory of the real experience that thinking is."² Gadamer's theory of hermeneutics is a theory that intends to describe the fundamental conditions that underlie and constitute all forms of understanding.³ Furthermore, Gadamer claims it to be both ontological and universal. Ontological in that understanding is said to be our "primordial" mode of being, and universal in that it underlies all human activities.

The most significant of the conditions which hermeneutics describes are the historicity, or historical situatedness of both the interpreting subject⁴ and the text (that which is to be understood). The significance of recognizing our own situatedness comes in realizing that we always come to a text not as blank, timeless slates but as persons with prejudices. As Gadamer says,

a person trying to understand a text is prepared for it to tell him something.... But this kind of sensitivity involves neither 'neutrality' in the matter of the object nor the extinction of one's self, but the conscious assimilation of one's own fore-meanings and prejudices. 5

Furthermore, Gadamer suggests that the possession of prejudices is not to be seen as a handicap - they are what "constitute the historical reality of [a person's] being."⁶ He points out that in the Enlightenment thinkers' haste to find certain knowledge they (mis)placed prejudices in an exclusive disjunction with reason, seeing prejudices as taking the place of one's own judgment either through over-hastiness or through the word of authority. In addition, these thinkers forgot "that among the prejudices in the mind of one whose vision is narrowed by authorities there might be some that are true."⁷ Thus, in order to vindicate belief in prejudices, Gadamer has next to legitimate appeals to authority.

This he attempts to do by pointing to the authority of an expert. One does not trust the authority of an expert simply through blind obedience, but through recognition and knowledge -

a knowledge "that the other is superior to oneself in judgment and insight and that for this reason his judgment takes precedence."⁸ That this use of authority is an act of recognition means for Gadamer that it is an act of freedom and reason. Hence, the disjunction set out in Enlightenment thinking was misformed. It seems, however, that this legitimation of appeals to authority can only serve as an assurance to us, and not as proposal of method, since the authority that Gadamer is most concerned with is that of tradition. And, the prejudices that tradition has instilled in us, insofar as we are actually a part of tradition, are not notions we can simply set aside. As Gadamer tells us,

We stand always within tradition, and this is no objectifying process, ie we do not conceive of what tradition says as something other, something alien. It is always part of us, a model or exemplar, a recognition of ourselves.... 9

At this point we can begin to see that although Gadamer's analysis pays great heed to authority and tradition it cannot simply be reduced to a Burkean, conservative characterization. Tradition for Gadamer does not stand over and above us as a force of nature, rather it is something that we are involved with both reciprocally and constitutively.

Within this relationship there is an Aristotelian bent which is of central importance to Gadamer's theory. For Gadamer, the thrust of the hermeneutical problem lies specifically in the recognition that all understanding inevitably involves some prejudice. What follows for understanding, then, are the con-

ditions of the hermeneutic circle which, in their Gadamerian description, involve a phronetic process. While the circle might normally be described as the "round and round" relation of understanding the whole through its parts, Gadamer develops this conception. For him, the circle describes understanding as the interplay of both the movement of tradition and the movement of the interpreter with the anticipation of meaning on the interpreter's part coming not from an act of subjectivity but proceeding

from the communality that binds us to the tradition. But this is contained in our relation to tradition, in the constant process of education. Tradition is not simply a precondition into which we come, but we produce it ourselves, inasmuch as we understand, participate in the evolution of tradition and hence further determine it ourselves. 10

Through this circle not only are we a part in relation to the "whole" of tradition but we are an active, productive part. Gadamer frequently¹¹ likens this activity to Aristotle's description of phronesis, pointing out that in each particular attempt to understand a text we understand it in a different way - given the situation of the particular application. There is always an act of mediation between the universal of the text and the understanding of the particular situation. As well, the knowledge that is involved in this process is not objective - it is the subject's self-constitutive prejudices that are brought to bear on the interpretation and are themselves further formed or altered in much the same way as the use of phronetic wisdom helps

to form the phronimos. The sort of reason that is used in both these Gadamerian and Aristotelian cases "exists for us only in concrete, historical terms, i.e. it is not its own master, but remains constantly dependent on the given circumstances in which it operates."¹²

II.2 The Hermeneutical Aspects of Moral Conservatism

The moral conservative theme of looking to our societal understandings and their histories for our moralities describes an instantiation of Gadamer's hermeneutic understanding. The prejudices that Gadamer describes are the moral conservatives' goods and values which have been historically determined through traditions. Moreover, we, our "selves", are seen by the moral conservatives to be largely constituted by our histories and through our continuing interactions with our societies.

Before indicating particular similarities between Gadamer and the moral conservatives, it is interesting to note a general difference. Both Gadamer and the moral conservatives attempt, in their own way, to redeem appeals to authority. But in Gadamer's case, the authority is that of a more or less individual and isolated intellectual/scholar. Such a person has, in general, a minimal influence on the individuals whose beliefs are in question. In the case of the moral conservatives, the authority that is to be redeemed is the entire culture and society itself, which

generates the "shared understandings" on which valid norms are based. Unlike the intellectual, our culture and society has an overwhelming influence on the individuals whose (in this case, moral) beliefs are in question. So, in Gadamer's case, we have a certain independence from the authority to whom we appeal. In the case of the moral conservatives, we have no such autonomy: we are the creatures and creations of that authority. Compared to the influence of our culture as a whole, the influence of the most charismatic intellectual guru is trivial. This suggests that the redemption of authority in the moral conservatives is altogether a more fearsome proposition than it is in Gadamer. Later we will see that Habermas's critique of hermeneutics suggests some controls that would make the moral conservatives' appeal to social authority much less intimidating.

Stuart Hampshire talks more of convention and custom than of historicity. But, it is clear that his "conventions" develop historically and that they also play a part in the development of the members of a given society. As he says, "moral traditions of a particular, and historically conditioned, way of life are equally alive in our imagination and feelings."¹³ Within humanity there are divergent moralities which are imbedded in different ways of life, each of which is the product of a specific history which produces various customs and conditions - as well as internalized dispositions.

Justification of normative practices for Hampshire (like Gadamer's justification of prejudices) comes in the form of a

description of a way of life or tradition and its history. This is a fairly "holistic" enterprise, which blurs the distinction between fact and value, in that it involves not only recounting the interconnections of practices or activities, but also includes "theories used to interpret behaviour and social relations" as well as "descriptions of admired ideal types of men and women, standards of taste, family relationships...and other dominant concerns."¹⁴ A given situation, though, has an inexhaustible set of features, including the knowledge and beliefs of the agent - which are not all necessarily immediately accessible to the moral agent. Hampshire describes the situation as follows:

It is evident that there is in my mind a vast store of unsurveyable background knowledge and belief; and against this background my specific beliefs about the present situation form themselves. When it comes to giving an account of the reasons for an action, or course of conduct, one picks out a few salient desires and beliefs from the foreground of consciousness and, more specifically, those that distinguish this particular occasion and this particular person. 15

There is evident here an interplay between the person, her acquired beliefs and the given situation which is not unlike Gadamer's description of the hermeneutic situation - wherein the subject's relevant prejudices are brought to the "foreground of consciousness" during the interpretation of a text and "form themselves" according to the particular application. Thus, the values that emerge in Hampshire's moral situation form and develop in the same way as do Gadamer's prejudices.

Walzer's account of persons and goods is also one that

puts great emphasis on their historic and cultural situatedness.

As he says,

People already stand in a relation to a set of goods, they have a history of transactions, not only with one another but also with the moral and material world in which they live. Without such a history, which begins at birth, they wouldn't be men and women in any recognizable sense...¹⁶

This history is not simply a superficial record of material trade but one that describes the development of societal meanings which are shaped and shared by the interacting members, and which constitute their social goods. It is also not a fixed and permanent tradition, but a continuing process wherein the social meanings change over time. Hence, in Walzer's societies, we have again a process in which persons and their goods (which are always "social" goods) develop interactively within the meanings they create.

The hermeneutic aspects found in After Virtue are more fully developed than those found in the other two moral conservative works under consideration. And, they are developed in Aristotelian terms which can immediately bring to mind a Gadamerian analysis. To begin with a general description, we can see that a person for MacIntyre is constituted in much the same way as described by Hampshire and Walzer:

What I am...is in key part what I inherit, a specific past that is present to some degree in my present. I find myself part of a history and that is generally to say, whether I recognize it or not, one of the bearers of a tradition. ¹⁷

This, however, is only partly MacIntyre's characterization of

persons - as opposed to the emotive individuals created by modernity - he believes, as we saw earlier, that a full conception of a moral being must involve some version of Aristotle's teleological ethics.

MacIntyre's account holds as central the tradition of the virtues. It can be summarily expressed in three stages. The first concerns the virtues as qualities necessary to achieve the goods internal to practices. By "practice", MacIntyre means: "any coherent and complex form of socially established cooperative human activity..."¹⁸ - which also has to be of the sort which requires a striving toward certain standards of excellences. These excellences are defined in terms of the goods intrinsic to a practice. So individuals learn and acquire the virtues in the process of learning and entering into relationships with practices and in striving toward their standards of excellence.

The second stage considers the virtues as qualities contributing to the good of a whole life, a life which MacIntyre characterizes in the form of a narrative. In its unity that narrative requires a unity of character which in turn constitutes the essential feature of personal identity.¹⁹ For MacIntyre, subjects are those who can be held accountable or who can ask for accounts - in a literal sense of the word - meaning those who can comprise and be parts of other "stories". Each narrative is a part of an interlocking set of narratives, a community of meanings.

The third stage in which the virtues function relates them to the pursuit of a good for human beings. This, MacIntyre says, can only be elaborated within the context of an ongoing moral (or societal) tradition. MacIntyre explains that "an adequate sense of tradition manifests itself in a grasp of those future possibilities which the past has made available to the present."²⁰ It is also within this context of tradition that the good of the second stage is elaborated.

We have said that MacIntyre characterizes the good of a whole life in terms of the unity of the narrative of the life. He also says that the quest for the good of a life is that which provides the moral life with its unity. But all that is said about this good (of which one is in quest) is that it takes place within the context of the third stage. One might well ask (as Richard Bernstein does²¹) what exactly the telos is to which each person must strive. Even MacIntyre had earlier²² pointed out that he sees Aristotle's teleology as presupposing his metaphysical biology, and that in not accepting the latter another account of the telos must be provided.

What MacIntyre does provide, at first glance, does not seem very helpful. He tells us that it includes the idea of a unity of a narrative and that "the good life for man is the life spent in seeking for the good life for man."²³ This (in combination with the information provided by the context of the third stage) might make a bit more sense if looked upon from a hermeneutic point of view. In attempting to come to terms with a

text, our past empowers us with preconceptions which we project as (future) possibilities of meanings which we test in applying them to the text. Within the context of this (which is analogous to the relationship of the individual with her community, or tradition, as described in MacIntyre's third stage) the interpreter is always (as Gadamer tells us) "anticipating a completion" - or unity - and attempting to understand the parts in terms of the whole, and the whole in terms of the parts. The attempt to understand that unity is not just one of understanding the given text, though, an interpretation also always changes the interpreter and adds to her self-understanding. The self is understood in the same way as a text is, as the inter-relation of it as part with the whole of tradition. Applying this back to MacIntyre's description, then, we can see that the telos of a given (moral) life for MacIntyre might be the same as that for Gadamer, that of self-understanding.

NOTES TO CHAPTER II

1. See Gadamer's discussion of Schleiermacher in Truth and Method (1984) particularly p. 162ff.
2. Gadamer (1984) p.xxiv.
3. Ibid. p.xi.
4. For Gadamer the subject who understands is always the interpreting subject in that there is no distinction between the moments of understanding and interpretation.
5. Gadamer (1984) p.238.
6. Ibid. p. 245.
7. Ibid. p. xi.
8. Ibid. p. 248.
9. Ibid. p. 250.
10. Ibid. p. 261.
11. Discussions of Aristotle's moral philosophy occur often in Gadamer's Reason in the Age of Science (1984) as well as in Truth and Method, particularly pp. 278-289.
12. Gadamer (1984) p. 245.
13. Hampshire (1983) pp 2-3.
14. Ibid. p. 5.
15. Ibid. pp 106-7.
16. Walzer (1983) p. 8.
17. MacIntyre (1984) p. 221.
18. Ibid. p. 187.
19. Ibid. p. 218.
20. Ibid. p. 223.
21. Bernstein (1986) p. 132ff.

22. MacIntyre (1984) p. 163.

23. Ibid. p. 219.

Chapter III Hermeneutics and Depth Hermeneutics

III.1 Prejudices and Self-Understanding

Although MacIntyre does not reach this conclusion himself, self-understanding becomes evident as the telos of his conception of a single life when his discussions of the virtues, the narrative unity of a life and our "cultural situatedness" are compared to Gadamer's theory of hermeneutics. As we have seen, for all the moral conservatives, as well as for Gadamer, the most fundamental aspect of our moral situation (or of understanding in general) is that of our being situated within, as well as being parts of, a tradition - both as a part of its history and within a cultural context. Being a part of a tradition means that we approach our various circumstances as beings that have been constituted by the meanings that have grown out of our communities. All aspects of participation in the world that include moments of understanding presuppose the primacy of our own worlds and at the same time include moments of interpretation through those prejudices (or prejudgments) of beliefs and values with which we encounter our situations.

As Gadamer points out, those moments are also characterized by an act of application: "all reading involves application, so that a person reading a text is himself part of the meaning he apprehends. He belongs to the text he is reading."¹ At first glance, this passage may seem to be doing no more than reasserting our historical or cultural situatedness. But, it

does point to something more - the moment of appropriation through which we are not only engaged in understanding of the text but also in self-understanding. This, Gadamer claims to be a part of all true understanding.

The interpreter dealing with a traditional text seeks to apply it to himself....the interpreter seeks no more than to understand this universal thing, the text; ie to understand what this piece of tradition says, what constitutes the meaning and importance of the text. In order to understand that, he must not seek to disregard himself and his particular hermeneutical situation. He must relate the text to this situation, if he wants to understand at all.²

While this passage cites the particular situation of the understanding of a "traditional text" it must not be interpreted as applying only to the limited situation of the reading of a text out of the past. Whether it be the reading of an ancient text or an ordinary conversation it remains that in order to make sense of a given "text" we must find a common ground or common reference point between it and our own situation. In so doing, we relate its meaning to ourselves and hence add to our self-understanding. MacIntyre's description of the process of narratizing our lives includes a recognition of this mutual dependence. For him, it is through our setting that we account for our lives.

It is central to the notion of a setting as I am going to understand it that a setting has a history, a history within which the histories of individual agents not only are, but have to be situated, just because without the setting and its changes throughout time the history of the individual agent and his

changes through time will be unintelligible.³

Yet, MacIntyre does not take the further step which Gadamer does and recognize the subtle distinction between interpretation and application (or appropriation). This differentiation comes out when Gadamer writes things such as,

understanding means, primarily, to understand the content of what is said, and only secondarily to isolate and understand another's meaning as such. Hence the first of all hermeneutic requirements remains one's own fore-understanding, which proceeds from being concerned with the same subject. It is this that determines what unified meaning can be realised and hence the application of anticipation of completion.⁴

We enter into a situation (perhaps a conversation or the reading of a book) carrying with us our prejudices, and as we proceed to discover commonalities (between ourselves and the interlocutor or the text) we necessarily relate what is to be understood to ourselves. The anticipation of completion comes after certain of our (the interpreter's) own beliefs have been brought to the fore - themselves having been drawn out following recognition of a mutual ground of meaning. The step of anticipation, though, brings to light something we should not lose sight of, which is the continuing circular nature of this hermeneutic process. Following the moment of self-understanding there is a return to the text with an anticipation of meanings yet to be found. Hence, while there is always an anticipation of completion (that is, of getting the "full meaning" of the text), given our own situatedness, the process never reaches an end wherein a complete

meaning is available to us. Only that which has some sort of relevance to our own context (or, the text's "effective history") is available to us.

That the process of understanding is a continuous one might be a reason for the moral conservatives' not making a significant distinction between the initial state of the interpreter (already equipped with prejudices) and the applicative moment. However, this moment is of central importance to the hermeneutic process. Gadamer notes that

the place between strangeness and familiarity that a transmitted text has for us is that intermediate place between being an historically intended separate subject and being part of a tradition. The true home of hermeneutics is in this intermediate area.⁵

Gadamer describes the movement within this area as not unlike that of question and answer. "Discourse that is intended to reveal something requires that the thing be opened up by the question."⁶ The ability to ask a question requires that the interlocutor bring into play some prejudgments in that the question does not simply express a desire to know or understand something but it is a particular lack of knowledge that leads to a particular question. The asking of the question opens up possibilities of meaning which are taken up by the subject and which, in turn, lead to further questions. Gadamer points out that this process, in the form of the dialectic of question and answer, is the art of conducting a real conversation and it is for him, fundamental to the structure of the hermeneutic experience. While this model may not at first glance seem to

suit the situation of actually reading a text, we should remember that the same anticipatory attitude is involved in any situation of interpretation. One is actually asking a question of the text.

In looking at the hermeneutic situation from the point of view of conversation, Gadamer leads us to the notion of language as the medium of hermeneutic experience. Within a conversation there develops a middle ground of shared understanding or meaning between the interlocutors, of which language is the medium. Gadamer explains this as follows.

Language, in which something comes to be language, is not a possession at the disposal of one or the other of the interlocutors. Every conversation presupposes a common language, or, it creates a common language. Something is placed in the centre, as the Greeks said, which the partners to the dialogue both share, and concerning which they can exchange ideas with one another.⁷

In the hermeneutic situation, then, language serves a double purpose, that of constituting a "common language" or "horizon" of meanings, as well as that through which the common language is created.

This dual role of language reflects the distinction described above - that between the initial state of a subject within a given horizon of meanings and the applicative moment (through which appropriation and self-understanding occur). The significance of this is well explicated by Jurgen Habermas in his review of Gadamer's Truth and Method⁸. There, Habermas opposes Gadamer's hermeneutics to Wittgenstein's analysis of language

games.

Habermas begins by pointing to the concept of translation which Gadamer sees as the "extreme case that duplicates the hermeneutic process of conversation."⁹ In order to translate we must first have at our disposal some ordinary language from which we can "step out" and comprehend and assimilate another, initially foreign, language.

Languages themselves possess the potential of a reason that, while expressing itself in the particularity of a specific grammar, simultaneously reflects on its limits and negates them as particular. Although always bound up in language, reason always transcends particular languages; it lives in language only by destroying the particularities of languages through which alone it is incarnated. Of course, it can cleanse itself of the dross of one particularity only in passing over into another. This intermittent generality is certified in the act of translation.¹⁰

Here the act of translation serves to both highlight the applicative moment as well as to focus on the difference between it and the initial process of developing within a language. The latter process is well articulated by the moral conservatives when they describe us as first finding ourselves to be members of a community or cultural situation. And this, Habermas asserts is also similar to Wittgenstein's description of understanding within language.

However, as Habermas explains, Wittgenstein not only conceived of linguistic understanding from the point of view of socialization but he also saw the situation of learning a foreign language as analogous to that process of learning social

meanings. Wittgenstein failed to see the difference between understanding within some sort of "institutionalized" language game - which rests on an already existing foundation of mutual understanding - and the situation wherein a common understanding has to be worked out.

Insofar as the moral conservatives recognize the conflict situations which arise in determining new social meanings and to the extent that MacIntyre, in particular, describes the problem of accounting for oneself as a part of an "interlocking set of narratives" the moral conservatives do not seem to be as naive about the above distinction as Habermas suggests Wittgenstein is. On the other hand, Habermas points out that even Gadamer does not himself fully flesh out the implications of the process exemplified in the act of translation:

The hermeneutic insight is certainly correct, viz., the insight that understanding - no matter how controlled it may be - cannot simply leap over the interpreter's relationships to tradition. But from the fact that understanding is structurally a part of the traditions that it further develops through appropriation, it does not follow that the medium of tradition is not profoundly altered by scientific reflection....Gadamer fails to appreciate the power of reflection that is developed in understanding....in grasping the genesis of the tradition from which it proceeds and on which it turns back, reflection shakes the dogmatism of life practices.¹¹

While Habermas is not denying our historical and cultural situatedness he is pointing in particular to the moment of application wherein certain beliefs or values are brought into the foreground of conversation and when appropriation or self-

understanding takes place. Habermas is questioning what might happen to those prejudices when they become the focus of conversation. Can they still be termed prejudices or pre-judgments once they are reflected on by their bearer?

Gadamer himself is not unaware of the importance of this moment. It seems, though, that his understanding of it includes a twist that gives priority to the significance of tradition as a necessary condition of self-understanding as opposed to the reflection about one's prejudgements that is made possible in this situation. Gadamer explains,

Methodologically conscious understanding will be concerned not merely to form anticipatory ideas, but to make them conscious so as to check them and thus acquire right understanding from the things themselves....It is not, then, at all a case of safeguarding ourselves against the tradition that speaks out of the text but, on the contrary, to keep everything away that could hinder us in understanding it in terms of the thing. It is in the tyranny of hidden prejudices that makes us deaf to the language that speaks to us in tradition.¹²

On several occasions¹³ Gadamer reaches the same point in his discussions but does not proceed to analyze the implications of reflection with regard to prejudices. As we shall see, though, this point is central to the Gadamer, Habermas debate, to which we will now turn.

III.2 Habermas's Objections to the Hermeneutic Claim to Universality

Discussions on the Gadamer - Habermas debate have in the

past been inclined, rather than focusing on particular points of dispute, to be accounts of how either Habermas is a hermeneutical thinker gone wrong, or, of how Gadamer has been too trusting of our traditions and has failed to see the extraordinarily penetrating evils of false ideologies....Perhaps not as sweepingly as I've implied, but, they have tended to either attempt to collapse Habermas's project into hermeneutics, or, to claim Gadamer as short-sighted. In what follows I would like to explicate what is the fundamental difference between the two characterizations of what is possible or necessary for the understanding of objects of inquiry.

On the one hand, Habermas maintains that in order to have a dialogical situation in which unconstrained communication, free from domination is possible, we must begin by using a theoretical analysis to step outside of "the dialogue that we are" (Gadamer) and explain the conditions of that communication. On the other hand, there is Gadamer's claim that all that is possible and necessary is that we understand from within the horizon of tradition which constitutes us, and that we can be sufficiently self-reflective upon entering into dialogues with others.

As we shall see, following this explication of the difference between Gadamer and Habermas, while the moral conservatives have to this point been characterized as hermeneutical thinkers of the Gadamerian sort, their inclusion of universal ethical notions allows for the possibility of insight into a level other than that of "conversation". Thus, since

Habermas's theory itself has hermeneutic elements, as we will also see, the moral conservative program can be filled out with the help of Habermas's critical theory.

The Hermeneutic - Critical Theory controversy began with Habermas's challenge of Gadamer's claim of the universality of hermeneutics. But this challenge itself arose because of a concern he shares with Gadamer - that which he called "the problem of scientism". In "The Universality of the Hermeneutical Problem", Gadamer articulates this interest:

our task is to reconnect the objective world of technology, which the sciences place at our disposal and discretion, with those fundamental orders of our being that are neither arbitrary nor manipulable by us, but simply demand our respect.¹⁴

The "fundamental orders of our being" for Gadamer are, of course, our hermeneutical conditionedness. Gadamer recognizes that while the sciences can have their own independent methodologies, they are not completely autonomous. These methodologies are always used to determine facts, or assertions, and, these assertions are always answers to questions. The interpretations of the facts and the questions to be asked, cannot come from the methodologies themselves. For Gadamer they can only be determined or legitimated through an hermeneutical inquiry.

Habermas recognized the same problem, and cited four ways in which Gadamer's hermeneutic is relevant to the solution - not only with regard to the natural sciences but also with regard to the autonomy of the social sciences:

(1) Hermeneutic consciousness destroys the speciously

objectivist self-understanding of the traditional social sciences. With the hermeneutic situatedness of the interpreting scientist recognized, it follows that understanding can only be achieved by reflection on the context of effective-history which connects the perceiving subjects and their objects, and, not through abstraction from preconceived ideas.

(2) Hermeneutic consciousness further reminds the social sciences that once the access to data is no longer mediated through controlled observation but through communication in everyday language, then, theoretical concepts can no longer be formulated or used simply within the framework of scientific methodology.

(3) With regard to the self-understanding of the natural sciences, the hermeneutic consciousness brings the insight that the natural language represents the "last metalanguage" for all theories expressed in formal language and thereby elucidates the epistemological locus of everyday language within scientific activity. The legitimation of decisions which direct the choice of research strategies, the construction of theories and the methods of testing them, and which thereby determine the "progress of science" is dependent on discussions within the community of scientists.

(4) Finally, hermeneutic consciousness is necessary as interpretation or translation of scientific information into the language of the everyday social world.¹⁵

Given the above extent to which Habermas sees the legitimacy

of an hermeneutical inquiry, one may wonder whether Habermas is not simply a hermeneutical thinker himself. The answer is both yes and no. However, in order to explain this, we will have to look a bit more closely at both Habermas's work and the objections he does raise with regard to Gadamer's hermeneutics.

Habermas's central criticism concerns Gadamer's claim of the universality of hermeneutics. As we saw above, Habermas finds Gadamer's work to be both relevant and insightful with regard to everyday communication and understanding. However, Habermas's contention is that there are limits to hermeneutical understanding. In "The Hermeneutic Claim to Universality", Habermas opposes Gadamer's philosophic hermeneutic to his own "depth-hermeneutic", the difference being that while Gadamer's version of hermeneutic understanding works within a certain "communicative competence" (that is, "the ability of native speakers to participate in everyday communication through understanding and speaking"¹⁶), Habermas's "depth-hermeneutics" demands an explanation of that competence.

The criticism is first brought out by comparing hermeneutic consciousness to linguistic analysis. While the latter does not particularly concern itself with understanding in everyday communication, its aim is to reconstruct the system of rules that guide the formation of grammatically correct and semantically meaningful components of a natural language, and further to examine the grounds of linguistic competence itself as opposed to how we understand within its realm. Habermas explains:

[Hermeneutic] self-reflection throws light on experiences a subject makes while exercising his communicative competence, but it cannot explain this competence. The rational reconstruction of a system of linguistic rules in contrast, is undertaken with the aim of explaining linguistic competence.¹⁷

Thus, in reconstructing the rules which allow for the generation of the grammatical and semantic elements of a natural language a linguistic analysis (such as that of Chomsky) is able to "go outside" of language and explain the particular area of linguistic competence which is tacitly presupposed when one is operating within the field of communicative competence.

However, for Habermas, this initial opposition between a philosophic hermeneutic and linguistic analysis can in a certain sense be seen as trivial. The above passage continues:

[The rational reconstruction of a system of linguistic rules] makes explicit those rules which a native speaker has an implicit command of; but it does not as such make the subject conscious of suppositions he is not aware of.

While linguistic analysis makes explicit the formational rules of grammar and semantics, it does not (and does not claim to) have any effect on the subjectivity of the speaker. The reflexive consciousness is not changed. The opposition that Habermas here outlines is set up only in order to clearly illustrate the difference between exercising one's competence and explaining it. This is essential because according to Habermas, it is only when we understand the nature and origins of our communicative competence that we can uncover the distortions underlying our communication.

At the time of his debate with Gadamer, Habermas wanted not just a method of setting out linguistic structures, but some way of explaining communicative competence that as well allows for the possibility that the subject reflexively appropriates that understanding. He relied on a Marxist/Psychoanalytic model. The psychoanalytic model which Habermas adopts in "the Hermeneutic Claim to Universality" is that of Alfred Lorenzer, who examined the doctor and patient dialogue from the point of view of psychoanalysis as a linguistic analysis. A brief outline of his project will serve to highlight its explanatory and "deconstructive/reconstructive" characteristics, which Habermas sees as lacking in the hermeneutic analysis.

The aim of Lorenzer's analysis is the clarification of the meaning of a "symptomatic scene" wherein a patient acts from within a deformed language game in a way contrary to expectations of behaviour and thereby expresses systemic distortions in the patients communication. The clarification is accomplished through the reconstruction of a primitive scene (which caused, or in some way necessitated, the distortion) with the help of an analyst and through the use of artificial "transference scenes". The patient's appropriation of the meaning of the distortion which caused the unusual behaviour thus requires first the deconstruction of the symptomatic scene, followed by the reconstruction of the primitive scene through the explanatory capabilities of the theoretical apparatus at the disposal of the analyst. In the end, verification of the process ultimately

comes through the self-reflective participation of the patient.

Two points are important to note here: (1) in order to understand the symptom it is necessary to explain its cause; and (2) this explanation is of a "structuralist" nature. As Habermas says, the major theoretical assumption underlying this "depth-hermeneutic" is that "the psychoanalyst has a preconception of the structure of undistorted everyday communication."¹⁸ Habermas goes on to explain that this preconception is not simply of

utterances [which] are formed in agreement with the valid system of grammatical rules and are applied in a specific context; there also exists a lexicon for all extra-verbal utterances not following grammatical rules which varies within limits between socio-cultural contexts.¹⁹

The psychoanalyst has to trace the systematic distortion back to an original confusion occurring at the pre-linguistic and linguistic organization of symbols, and explain "the emergence of deformations with the aid of a theory of deviant processes of socialization."²⁰ This of, course, is a tall order and, as we shall see, is not one that is well filled by the early formulation of Habermas's program.

What we can see from this early discussion is the characteristic required by Habermas's analysis which is not present in Gadamer's hermeneutic, that is, the need of a structural-theoretical standpoint from which to explain the communicative competence itself as well as the conditions that affect it. The possibility of such a depth-hermeneutic as Habermas required was seen by him to have been completely left

out of philosophic hermeneutics by Gadamer's insistence that "we cannot transcend the dialogue which we are." It is to this claim: which gives priority to the tradition of the conversation over critique, that Habermas did and still does object.

More specifically, while Habermas agrees with Gadamer (against earlier proponents of hermeneutics such as Schleiermacher) that a supporting consensus precedes all misunderstanding he disagrees regarding the reliability of that consensus ("every consensus, as the outcome of an understanding of meaning, is, in principle, suspect of having been enforced through pseudo-communication."²¹), and thus insists that we must be able to extend the range of hermeneutics into critique that must "not be tied to the radius of conviction existing within a tradition."²²

III.3 Habermas's Universal Pragmatics

As was implied in the previous section, Habermas's early work involved some fundamental problems - to which he responded with significant reformulations of his program. Since here, we are more concerned with the recent formulations of Habermas's

work than with its history, it will be sufficient to simply note those problems which have caused him to revise the ideas which were related to his critique of Gadamer's hermeneutics and, to look at the recent work which is pertinent to the moral conservatives' program. At the outset, following the publication of Knowledge and Human Interest, there came to light two problems which are of interest to us.

The first issue concerned a conflation of two uses of "reflection" Habermas himself noted the problem in his "Postscript to Knowledge and Human Interests"²³:

The studies I published in Knowledge and Human Interests suffer from the lack of a precise distinction...between reconstruction and 'self-reflexion' in a critical sense. It occurred to me only after completing the book that the traditional use of the term 'reflexion', which goes back to German Idealism, covers (and confuses) two things: on the one hand, it denotes the reflexion upon the conditions of potential abilities of a knowing, speaking and acting subject as such; on the other hand, it denotes the reflexion upon unconsciously produced constraints to which a determinate subject (or a determinate group of subjects or a determinate species subject) succumbs in its process of self-formation.²⁴

The first type of reflection refers to the Kantian project of a search for the foundations of knowledge in the conditions of any possible experience while the second type involves reflection capable of freeing the subject from hidden constraints in the structures of social action and speech. Conflating the two senses of the term, then, involves using it to mean both reflecting on theoretically possible knowledge and reflecting on

knowledge for the sake of action. We saw an example of this confusion in the previous section when we noted that what Habermas wanted at the time of his debate with Gadamer was "some way of explaining communicative competence (the first type of reflection) that as well allows for the possibility that the subject reflexively appropriates that understanding" (the second sort of reflection).

While this problem of conflating the two types of reflection into one process seems to have emerged as a result of Habermas's effort to respond to a much greater difficulty, that of bridging the gap between theory and practice, Habermas had to find another route from theoretical to practical or normative reflection, or self-reflection. In his later work Habermas turns away from the first sort of reflection described above, and relies instead on the method of "rational reconstruction" as a means of examining rule systems governing universal human competencies independent of practical applications. Although this may seem to destroy the link Habermas was trying to make between theory and practice, we will see (in the following section) that it might simply have been created somewhere else.

The second important objection raised against Habermas's early work concerned his suggestion of psychoanalysis as a critical social theory. Criticisms of this line of thought came from various directions. From the left, Hans Joachim Giegel is cited as pointing out that while there are times when communication is systematically distorted wherein we need to

"step outside" of that conversation and examine its conditions, psychoanalytic therapy is not suitable for the sort of struggle that may be necessary:

The revolutionary struggle is by no means a psychoanalytic treatment on a large scale. The difference between these two forms of emancipatory practice is a result of the fact that the patient is helped to free himself from compulsions to which he is subjected. The attempt to release the ruling class from the compulsions of the social order could only appear to them as a threat to the domination which they exercise over other classes. The opposition presents itself in a much sharper form here than in the case of psychoanalysis. The oppressed class not only doubts the ruling class's capacity for dialogue, but also has good reason to assume that every attempt on its part to enter into a dialogue with the ruling class could only serve as an opportunity for the latter to secure its domination. For this reason, the oppressed class may not, on pain of a setback to their emancipatory efforts, follow the psychoanalytic path.²⁵

A similar sort of objection, but from an opposing point of view, was made by Gadamer. In his "Replik"²⁶, written in response to Habermas's objections to his hermeneutics, Gadamer simply points out that psychoanalysis is legitimate only insofar as it is entered into voluntarily and within a given social order. Moreover, the given society also sets limits to the therapy through the use of such restraints as codes of professional conduct, legal sanctions, and various shared expectations regarding the conditions of the process. In venturing to extend the range of psychoanalysis to the whole given social and political order Habermas exceeds those bounds and loses the ground for the legitimacy of the project.

Gadamer further points out that if the therapist-patient model is extended to a society as a whole, there arises the danger of a self-selected few exercising unjustified force - given their dogmatic belief of insight into the delusions of others. What Gadamer does not consider, though, is that the paradigm outlined by Habermas was not intended as a guide to political action, but as a method of enlightenment. Secondly, if this situation were to take place, it certainly would not be a psychoanalytic one. While within the psychoanalytic paradigm there is necessarily an asymmetrical relation between therapist and patient, there is a safeguard against any sort of force in that the appropriateness of the given interpretation must be confirmed through the patient's self-reflection.

There do, however, remain problems with the application of the psychoanalytic model to social theory. To begin with, it is true, as Gadamer does imply, that who the "therapist" is, is not at all clear. It is also unclear how the details of the actual process of social or political enlightenment can be made analogous to the original model of therapy. For example, during the "transference" scene, with the help of the therapist, the patient is put into the position of repeating the situation of disturbed communication and is also compelled by the therapist to remember a missing part of his history. What the comparable situation would be in the social or political sphere is not immediately obvious - unless we were to conceive of some highly unlikely circumstance such as that of a "socio-analytic" king who

travelled around the kingdom engaging various sectors of the society in therapy sessions. What is apparent is that one could find many such difficulties in attempting to apply the psycho-analytic paradigm to a societal level.

Given these problems, and particularly the issue of who the therapist is to be, Habermas had to reformulate his theory with regard to the process of critical self-reflection. He needed a theory of normal communication on which to base an analysis of systematically distorted communication, thus he shifted his efforts towards a greater emphasis on language, speech and the theory of communicative competence.

It is in his theory of universal pragmatics that Habermas fully works out the idea of communicative competence which, as we saw in the previous section, he distinguishes from Chomsky's theory of linguistic competence. In "What is Universal Pragmatics?"²⁷ Habermas takes on the "task of the identification and rational reconstruction of the universal conditions of possible understanding". He does this while maintaining, like Gadamer, that understanding is the aim of dialogue or "communicative action". Furthermore, while Habermas acknowledges other sorts of "actions" which take place in language, such as conflict, competition, or, generally, strategic action, he sees them all as derivative of that sort of action oriented to reaching understanding.

To the end of working out the reconstruction (which replaces Kantian reflection), and given that he sees language as the

specific medium of understanding, Habermas singles out explicit speech actions from other forms of communicative action. As we shall see, it is within a given speech act that Habermas reunites the elements of theoretical and normative discourse in the forms of propositional content and illocutionary force. The thesis that he develops is as follows:

anyone acting communicatively must, in performing any speech action, raise universal validity claims and suppose that they can be vindicated (or redeemed: einlösen). Insofar as he wants to participate in a process of reaching understanding, he cannot avoid raising the following - and indeed precisely the following - validity claims. He claims to be:

- a. Uttering something understandably;
- b. Giving (the hearer) something to understand;
- c. Making himself thereby understandable; and
- d. Coming to an understanding with another person.²⁸

Habermas explains these validity claims in terms of the speaker such that with regard to "a" we can say that "the speaker must choose a comprehensible expression so that speaker and hearer can understand one another". With regard to "b" and "c", respectively, we can say that the speaker must intend to communicate a true proposition ("or a propositional content, the existential presuppositions of which are satisfied") and must want to express his intentions truthfully so the hearer can believe and trust the speaker. The final claim, for Habermas, refers to the speaker's choice of an utterance that is right, "so that the hearer can accept the utterance and speaker and hearer can agree with one another in the utterance with respect to a recognized normative

background."²⁹

In developing his universal pragmatics, Habermas took as his point of departure Austin and Searle's discussions of speech acts. Therein, a speech act can be described as any employment of a sentence in an utterance - where utterances contain both a propositional content and illocutionary force. For example, I can say, "I promise that p" or "I command that p" or "I assert that p", all utterances containing the same propositional content ("p"), but with differing illocutionary forces. One can say that each speech act can be broken down into two sentences, the dominant (or performative) which expresses illocutionary force and thus establishes a certain relation between the speaker and hearer (thus comprising the level of practical reflection), and the dependent sentence which is comprised of propositional content made up (generally speaking) of an identifying or referring phrase and a predicate phrase. The dependent sentence is said to express a state of affairs, thus establishing the association between the utterance and the world apart from the communication and carrying with it presuppositions regarding universal conditions for making statements about the world. Habermas refers to duality of components in a given speech act as the double structure of speech.

What Habermas is most concerned with is not simply the ability to create and understand proper sentences, but "the ability of adult speakers to embed sentences in relations to reality in such a way that they can take on the general pragmatic

functions of representation, expression, and establishing legitimate interpersonal relations."³⁰ Thus, he considers the burden of work of the theory of universal pragmatics to be in this area. Habermas's central concern - with the power of utterances to generate interpersonal relations - leads him to centre his interest on the illocutionary force of an utterance and the conditions for its success. (We should keep in mind, though, that these specific interpersonal relations are only possible if a more general context of consensus is available - a point to which we will return following this explication of universal pragmatics.) By way of delineating his area of interest, Habermas distinguishes between institutionally bound and unbound speech actions. The first type are used within the context of a specific institution where norms are presupposed or, in other words, the appropriate propositional content is limited by the normative meanings of the institution, such as hiring, buying, and so on. Institutionally unbound speech acts, on the other hand, have to meet the more general conditions of the context in order to succeed. These are the more interesting to Habermas.

The success of a speech act (given the emphasis on illocutionary force) is not simply to be seen in terms of the hearer's understanding of it, but more importantly in terms of its "acceptability". And, since institutionally unbound speech acts do not have a given normative context, the conditions of their acceptability and comprehension must be determined in some

other way. Habermas finds helpful Searle's analysis of the types of conditions that must hold for a successful speech act. The first of the three which Habermas discusses are the "preparatory rules". These determine the context of a given type of speech act:

A promise, for example, is not acceptable if the following conditions, among other, are not fulfilled: (a) H (the hearer) prefers S's (the speaker's) doing A (a specific action) to his not doing A, and S moreover believes this to be the case; (b) it is not obvious to both S and H that S will do A in the normal course of events. If conventional presuppositions of this kind are not fulfilled, the act of promising is pointless...³¹

The remaining two rule types are particularly helpful with the unbound act. While the "essential rules" seem to only paraphrase the meaning of the corresponding performative verb, Habermas finds it interesting that in exemplifying the use of the rule, Searle uses the phrase "count as an attempt" - as in the case of requests, which "count as an attempt to get H to do A". The significance for Habermas is that:

The essential presupposition for the success of an illocutionary act consists in the speaker's entering into a specific engagement, so that the hearer can rely on him. An utterance can count as a promise, assertion, request, question, or avowal, if and only if the speaker makes an offer that he is ready to make good insofar as it is accepted by the hearer. The speaker must engage himself, that is, indicate that in certain situations he will draw certain consequences for action. The content of the engagement is to be distinguished from the sincerity of the engagement.³²

The emphasis on the sincerity of the engagement derives from the

third of Searle's conditions, the "sincerity rule". This does as it says, it places a restriction on the psychological state of the speaker, such that the speaker, for example, actually believes what she asserts, intends to do as she promises, and so on.

Hence, acceptable illocutionary force, in the case of unbound speech acts, derives from the speaker's discernible and sincere willingness to enter into the given interpersonal relation. But, while one can, through observation and questioning, establish whether the first condition (of the "preparatory rules") is met, it is not immediately apparent whether the speaker has met the other two conditions, that is, whether the speaker is sincerely engaged to the extent that the hearer can trust the speaker. For this problem, Habermas has a pivotal solution. Habermas argues that illocutionary force has more than a suggestive influence, that with their illocutionary acts, the speaker and hearer raise validity claims that "demand recognition" and that these validity claims are cognitively testable - their "reciprocal bonds" have a rational basis.

To each of three of the validity claims, Habermas describes a corresponding mode of communication. To the claim to truthfulness or veracity, corresponds the expressive use of language, or "representative" speech acts such as admitting, concealing, pretending, deceiving, and expressing. This sort of claim carries with it the obligation to prove trustworthy in that the speaker has "to show in the consequences of his action that he

has expressed just that intention which actually guides his behavior."³³ Thus the truthfulness of the utterance can be verified in relation to the speaker's subsequent behavior.

To the claim to truth correspond constative speech acts such as assertions, descriptions, classifications, predictions and objections. In this cognitive use of language, there is a "speech-act-immanent" offer of an obligation to provide grounds. More specifically, the constative speech act carries the offer to return to the "experiential source" from which the speaker makes his claim. If there remains doubt about the veracity of the validity claim to truth, then the speaker and hearer have the option of moving to another level of communication wherein the truth claim in question becomes the subject of a theoretical discourse.

To the claim to rightness or appropriateness there correspond regulative speech acts such as requests, orders, admonitions, promises, agreements, and excuses. This interactive mode of communication sustains with it an obligation to provide justification. The sort of grounds required here, though, are found in the normative context that provide the speaker with the conviction that the utterance is right. But, if these are contested then, "the subject of discursive examination is not the rightness claim directly connected with the speech act, but the validity claim of the underlying norm."³⁴ And, in this case we pass into the level of practical discourse.

Thus, Habermas's universal pragmatics describes "coming to

an understanding" as "the process of bringing about an agreement on the presupposed basis of validity claims that can be mutually recognized."³⁵ We establish everyday communication on the basis of a background consensus derived from the interpretations that are normally taken for granted by the participants. Whenever this consensus is questioned, though, and a validity claim pertaining to norms or truth is challenged, the participants must move to the level of discourse in order to achieve a new consensus.

III.4 The Ideal Speech Situation and Practical Discourse

Since the concern of our study is not with theories of truth, but rather with normative discourse, in the following we will sidestep the thorny issues concerning Habermas's work as a theory of truth, and concentrate on the relationship between his ideal speech situation and practical discourse. To this end, we should recall our last discussion of Gadamer's hermeneutics.

To begin with, we can relate the juncture at which we find ourselves with the problem which we were left with at the end of section I of this chapter. We saw that Gadamer, on several occasions, reached a point in his discussions where he stopped short of analyzing the implications of reflection with regard to prejudices (or presuppositions). These points of particular interest occurred when prejudices were said to have been brought

to the foreground of a conversation. We saw that Gadamer speaks of a movement in the process of understanding that is not unlike any process of question and answer and, that in coming to understand a given text we need to be able to recognize a particular lack of knowledge with regard to which we formulate a question. We can now see why this significant point in the process for Gadamer also has significance for Habermas. It is a point in both their explications where there is a lack of one or more shared presuppositions between the participants of the conversation.

This moment of application (in Gadamer's terms) of the speaker's presuppositions onto the conversation is where certain beliefs or values are brought into the foreground of the conversation and when appropriation or self-understanding (through recognition of those beliefs or values) takes place. For Gadamer, this moment of the hermeneutic situation also points to the double purpose that language serves. As we saw in Section I Gadamer sees every conversation as either presupposing a common language or creating a common language. But for him, the creation of the common language seems to occur through a process similar to that of translation, wherein there is an "intermittent generality", between the particularities of the given languages, which seems to reside in reason which "although always bound up in language, ...always transcends particular languages".

However, while reason may indeed in some sense transcend individual language, any particular episode of reasoning we

engage in, including the reasoning that founds a language, takes place within some language or other. It is therefore subject to all the limitations of particular languages and has presuppositions which are not simply peculiar to reason "in general". It is thus difficult to see how the universality of reason in general helps individual reasoners overcome the particularity of their languages. We must suppose, then, that it is within a particular language that the new common language is created.

Furthermore, when the new common language is created there must be some revision of the original, questionable presupposition(s). Thus, Habermas's criticism of Gadamer that "Gadamer fails to appreciate the power of reflection that is developed in understanding." The particular form of reflection to which Habermas here refers is that which takes place at the level of discourse, as opposed to everyday communicative action.

As was noted above, Habermas argues that questions of "rightness" can be dealt with by entering into the level of discourse wherein the claims can be explicitly called into question and in which reasoned justification must be offered for them. In describing the validity claims which are built into utterances, Habermas has shown, that the possibility of entering into such a discourse is a fundamental presupposition of any act of speaking insofar as it aims at being understood.

Discourse, for Habermas, takes place within the normative context of the ideal speech situation. This situation describes the formal conditions of a community of speakers engaged in

discourse in which they have removed themselves from the particularity of action in order to test a given claim. It also expresses those conditions of interaction necessary for participants in such a discussion to reach a rationally motivated consensus. In a given rationally motivated consensus the participants agree to a conclusion exclusively on the grounds that it is the most reasonable choice. Habermas describes three conditions which must be met in such an ideal speech situation:

(1) In the case of unrestrained discussion (in which no prejudiced opinion cannot be taken up or criticized) it is possible to develop strategies for reaching unconstrained consensus; (2) on the basis of mutuality of unimpaired self-representation (which includes the acknowledgment of the self-representation of the Other as well) it is possible to achieve a significant rapport despite the inviolable distance between the partners, and that means communication under conditions of individuation; (3) in the case of full complementarity of expectation (which excludes unilaterally constraining norms) the claim of universal understanding exists, as well as the necessity of universalized norms. These three symmetries represent, incidentally a linguistic conceptualization of what are traditionally known as the ideas of truth, freedom, and justice.³⁶

Summarily put, these very general ideal conditions require unlimited discussion, in a situation of interactive symmetry - meaning that the participants must all have the same chances to initiate and employ representative or regulative speech acts, and, that the participants be both truthful to themselves and able to make themselves "transparent" to others.

Obviously, since the ideal speech situation abstracts from all social relations other than speech, as well as from all in-

terests other than that of arriving at a consensus, it is unrealizable. Yet, as a formal ideal it is an unavoidable universal presupposition underlying all communication that aims at understanding. And while (as Habermas admits) it is usually, and perhaps always, counterfactual, it is always bound to the notion of right agreement. As Habermas indicates at the end of the above passage, the requirements of the ideal speech situation embody notions which express a not uncommon ideal of what justice indeed is. It describes a social situation where there is no uneven distribution of power, and an even distribution of resources.

Thus, while the ideal speech situation can be described as a formal ideal of the sort that (as we saw in the first chapter) the moral conservatives reject, it is a peculiar sort. This ideal does embody normative guidelines which, while not substantive in the sense that they do not relate to particular situations, are derived not from a purely objective, theoretical starting point. Moreover, its starting point involves the circumstances which the moral conservatives themselves describe as those which produce the various shared understandings of a given society. We will return to this point in the following chapter where we will also re-examine to the moral conservatives' project as well as their views on "universalistic" ethical theories in light of our examination of Habermas's work.

NOTES TO CHAPTER III

1. Gadamer (1984) p. 304
2. Ibid., p. 289
3. MacIntyre (1984) p. 206
4. Gadamer (1984) p. 262
5. Ibid., p. 263
6. Ibid., p. 326
7. Ibid., p. 341
8. J. Habermas, "A Review of Gadamer's Truth and Method" reprinted in Dallmayr and McCarthy (1977) from Zur Logik der Sozialwissenschaften, 1970. Suhrkamp Verlag, Frankfurt am Main.
9. Gadamer (1984) p. 347
10. Dallmayr and McCarthy (1977) p. 336
11. Ibid., p. 357
12. Gadamer (1984) p. 239
13. See for example, Truth and Method pp. xiv and xxv, also "The Problem of Historical Consciousness" in Rabinow and Sullivan (1977).
14. H.G. Gadamer, "The Universality of the Hermeneutical Problem." (1966), in Philosophical Hermeneutics (1977) p.3
15. J. Habermas, "The Hermeneutic Claim to Universality" in Contemporary Hermeneutics (1980) pp. 186-7
16. ibid., p. 185
17. Ibid., p. 186
18. Ibid., p. 194
19. Ibid., p. 195
20. Ibid., p. 195
21. J. Habermas, "The Hermeneutic Claim to Universality", p. 205

22. Ibid., p. 208
23. J. Habermas "A Postscript to Knowledge and Human Interests" in Philosophy and Social Science 3 (1973)
24. Ibid., p. 182
25. In both T. McCarthy, The Critical Theory of Jurgen Habermas (1978) pp. 206-207 and R. Roderick, Habermas and the Foundations of Critical Theory (1986) p. 68
26. H.G. Gadamer, 'Replik' in K.-O Apel et al., Hermeneutik und Ideologiekritik (1971), untranslated but discussed in both McCarthy (1978) and Roderick (1986). My account of Gadamer's objections is largely a paraphrase of theirs.
27. J. Habermas, "What is Universal Pragmatics?" in Communication and the Evolution of Society (1976)
28. Ibid., p. 2
29. Ibid., p. 3
30. Ibid., p. 32
31. Ibid., p. 60
32. Ibid., p. 61
33. Ibid., p. 64
34. Ibid., p. 64
35. Ibid., p. 3
36. J. Habermas, "Towards a Theory of Communicative Competence" Inquiry 13 (1970) pp. 371-2

Chapter IV MORAL CONSERVATISM AND THE IDEAL SPEECH SITUATION

We have seen, in chapter one, that the moral conservatives have an ambiguous view toward universal ethical theories. On the one hand, they reject those "abstract, computational" doctrines as useless to everyday moral thinking and practice. On the other hand they do seem to retain as plausible (but not helpful) objective notions of justice and freedom. We have also seen, in chapter two, that the moral conservatives' project expresses a view of social interaction that is not unlike that espoused by Gadamer in his description of the hermeneutical situation. In addition, we have found in chapter three, that Habermas subjects the hermeneutic process to general and critical scrutiny - a scrutiny which can be extended to the hermeneutic elements in the moral conservatives' model of normative discourse. Habermas's universal pragmatics and ideal speech situation uncover the presuppositions inherent in the hermeneutic process, or, communication in general; it is therefore suitable for analyzing the norm-selecting discourse of the moral conservatives.

Below, we will examine the effect of these presuppositions of communication and discourse on the moral conservatives' enterprise.

In the second chapter we determined that in putting as great an emphasis as they do on socially created values and goods the moral conservatives' project gives itself a hermeneutic bent. This is evident when Hampshire says things about morality such as: "it cannot be separated from social manners and customs, and habits of thought and speech, and distinct elements of a culture...."¹ Or when Walzer says that problems of justice are decided by answering questions like: "what would individuals like us choose, who are situated as we are, who share a culture and are determined to go on sharing it?...What understandings do we (really) share?"² The moral conservatives' project is an instantiation of the hermeneutic process in that it is through the dialogues of the members of a given community that their goods come to be defined and their values articulated and understood. In these dialogues they draw on their tradition to inform and develop their understanding of the society which they are continuously creating. And while MacIntyre does not believe that our contemporary society has been very successful in coming to any consensus of a particular set of values he does at least see us as trying to determine one. With the other moral conservatives, he maintains that "it is through conflict and sometimes only through conflict that we learn what our ends and purposes are."³ This conflict is not to be seen in a pejorative light, it simply expresses the search for social agreement.

That the moral conservatives express a hermeneutic analysis of moral theory is particularly significant in light of the exchange between Gadamer and Habermas. While the debate began with Habermas's objection to the claim of hermeneutical universality (a claim for which there is no parallel in the moral conservatives' analysis), it focused on the closely related problem of to what extent is it possible to critically analyze those understandings or presuppositions which come to the fore during a given dialogue. To this problem there is an analogue in the moral conservatives' program.

It is time, then, to ask the moral conservatives a question: What is it that distinguishes a right determination of the consensus from a wrong one. Or, to put it in Walzer's own words, what determines "what understandings we really do share?" Moreover, is it not ever possible to find a given, socially determined, understanding of a value unjust? As long as it is through dialogue that we determine particular values one is faced with the question of justly determining what those values are.

Suppose that there is a society composed largely of people of one particular race (A) but also includes a few of another race (B). Suppose further, that race A is very proud of itself, particularly in relation to race B, and that the everyday interaction of these people includes relational references to race B as the morally inferior and generally less reliable members of the community, but, that there is no evidence of such a difference. However, all (including, perhaps those of race B)

would agree that in whatever sphere of that society, members of race B should be given positions or roles that involved less responsibility than those of race A. It seems evident, since the actual value of members of race B has been determined through social discourse and has become a shared understanding of the community, that the moral conservatives' requirements for the determination of a just setting have been met. Thus, it seems even more evident that these requirements are not enough.

Fortunately, there is another difficulty in the moral conservatives' work that, when clarified, could strengthen their requirements for a just society. That is, that while they do acknowledge that other level of morality wherein the "abstract" notions of justice, freedom, and equality reside they neither attempt to fully explicate it, nor do they consider any possible relation it might have to the moral systems which they describe. The problem seems to be heightened by the factor that they only consider utilitarian and deontological theories to belong in that level and that it is only there that universal moral ideals have a place. Habermas's ideal speech situation presents an interesting alternative to the "abstract" rules rejected by the moral conservatives.

In that the ideal speech situation is an idealization of the process of discourse, it could be said to belong to same level of theory as utilitarian and Kantian ethics which also describe ideal situations. However, there is an important difference between it and the two ethical theories. The values of justice,

freedom and equality which are contained in the ideal speech situation, along with the situation itself, are not the products of abstract theorizing, they are all derived from that level of everyday communication which the moral conservatives emphasize.

Habermas's analysis of communication characterizes the sort of interaction which the moral conservatives describe as forming the goods and values of a given society. As we have seen, Habermas concentrates his analysis on communication aimed at reaching understanding. This sort of communication carries with it some presuppositions. These presuppositions are what Habermas calls the validity claims. When certain of these claims are called into question the communication moves to the level of discourse where the claims themselves become the subject matter of the exchange. If these claims are to be judged for purely "internal" reasons (as Walzer would say), the situation must be one which meets the conditions of the ideal speech situation. In that ideal situation, the obligations of truth, rightness, truthfulness and comprehensibility are upheld through its conditions of unconstrained discourse between equal participants.

While the moral conservatives obviously do not make the distinctions that Habermas does, they do describe values as the products of communication aimed at understanding (that which is the subject of universal pragmatics) and they also describe healthy situations of "conflict" in which the understandings are put under scrutiny and developed or replaced. What the moral conservatives do not consider, however, are the presuppositions

of these two forms of communication which Habermas does examine and from which he derives the ideal speech situation.

At first glance the ideal speech situation does seem to be just the sort of theory which the moral conservatives want to reject. It is such an idealization and so indeterminate that one would probably fail at any attempt to derive moral principles from it. It is also a formal construct which describes conditions which can most probably never exist. It is so formal that one would want to say that it is completely non-substantive. But it is substantive. It is substantive insofar as it contains normative obligations regarding the method used to determine values.

Moreover, these normative obligations are neither the products of an examination of a noumenal self nor are they based on intuitions found in all people, and they are not a set of abstract moral principles. The normative obligations derive from the conditions which are presupposed in everyday communicative action and are thus required by the ideal form of the method used to validate normative claims - the ideal speech situation. They are a requirement for the specification of the ideal speech situation. These conditions, which can simply be described as the requirements of truth from each of the free and equal participants of a discourse, are part and parcel of the situation which the moral conservatives themselves describe as producing the values of a society.

Since the moral conservatives rely on a dialogical model of

social and ethical development, they cannot reject these moral presuppositions which are, after all, presupposed in the very communication from which are derived the social agreements which form the values of their moral theory.

According to the moral conservatives the values of a given society are determined by its shared understandings. If those resultant values are to be those which the members of the community intended through their discourse, then they must have come about in a manner consistent with the presuppositions of communication. Moreover, the resultant norms are also constrained by the guidelines which are inherent in the method which a given society uses to validate those claims.

If we return to the example of races A and B and apply the conditions of the ideal speech situation to their community, we will find that since the members of race B have not held an equal and individual role in that society, the resulting shared understandings of their society do not conform to the presuppositions of their dialogue. Any norms based on these shared understandings therefore could not be regarded as validated.

While it might here be objected that in the above example the value of equality is simply an intuition injected into the situation, two things must be kept in mind. The first is simply that the moral conservatives themselves admit to holding that value, and it is their theory which we are here filling out. Any intuitions embedded in the example are also embedded in the theory of the moral conservatives. The second response is that

the idea of equality, as Habermas points out, is inherent in communication as a presupposition of discourse. It is a condition of the ideal speech situation which, as we have said, is itself derived from the analysis of the process of social communication. What distinguishes the moral conservatives' theory from almost all their predecessors' is that discourse of the sort analyzed by Habermas is essential to the formulation and justification of moral principles.

Because Habermas's situation is ideal, one could not expect any actual community to conform to it. But when the departure is as extreme as in this example, the society cannot be regarded as capable of generating valid shared understandings unless it conforms more closely to the ideal. In this manner Habermas's presuppositions of normative discourse function as a constraint on the kind of shared understandings which the moral conservatives use to generate social norms. To the extent that the presuppositions are presuppositions of any valid normative discourse, they are formal. They have however the effect of substantive norms without constituting a fully abstract set of moral rules external to concrete social realities. This makes them a suitable addition to the moral conservatives' model of moral discourse, they provide the necessary constraints on shared understandings without introducing the intolerable constraint of an abstract meta-social moral code. If the problem of deciding how great a deviation from the ideal conditions invalidated shared understandings were solved, the result would be

practicable extension of the moral conservatives' approach to ethical theory.

NOTES TO CHAPTER IV

1. Hampshire (1983) p. 134
2. Walzer (1983) p. 5
3. MacIntyre (1984) p. 164

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