What we can Demand of Each Other

An Investigation into the Relationship between Questions of the Good Life, Questions of Morality and Concept of Maxims in the Communication Based Ethics of Jürgen Habermas and Seyla Benhabib

Joachim Åsen Kvamme

Supervised by associate professor Reidar Maliks

Master's thesis in philosophy at the Department of Philosophy, Classics, History of Art and Ideas, Faculty of Humanities

UNIVERSITY OF OSLO

Spring, 2018

II

What we can Demand of Each Other

An Investigation into the Relationship between Questions of the Good Life, Questions of Morality and the Concept of Maxims in the Communication Based Ethics of Jürgen Habermas and Seyla Benhabib

Master's thesis in philosophy at the Department of Philosophy, Classics, History of Art and Ideas, Faculty of Humanities, University of Oslo

By Joachim Åsen Kvamme

Supervised by associate professor Reidar Maliks

Spring, 2018

Summary

We evaluate each other all the time. We evaluate actions and character, assess each other, expect, talk about, criticize and endorse the behavior of those we know and those we encounter. Based on someone's actions we judge who he or she is and who he or she should be. What is the justification for our doing so? What are justified in expecting, and what can we demand?

In this thesis, I treat this question as it has been answered differently in the Universalist positions of Jürgen Habermas' discourse ethics and Seyla Benhabib's interactive universalism. Starting with their common ground, the intersubjective structure of subjectivity, I treat their different moral positions from how they choose to interpret the normative aspects of this structure as a postconventional practical relation-to-self, with an utopian undercurrent. By the differences in how these theoreticians treat the distinction between morality and ethical life, I show that some types of evaluations cannot be made into demands, although they might appear to be connected with morality.

By objecting to the broad moral sphere developed in Benhabib's interactive universalism, which she has based on discourse ethics, I argue that this stems from a common understanding that maxims should be regarded as rules of action. If one interprets morality as connected with ethical life, I seek to show, one runs into the counterintuitive conclusions that maxims should not prescribe rules of actions and that duties must lose their symmetrical relation to rights.

After having done this, I take up this problematic as it relates to the political thinking of Habermas and Benhabib. Here I show that while Habermas's reticence about including ethical considerations in the moral sphere, as the separation of motives for action and justification of norms, it becomes a rather larger problem when viewed as resulting in a political theory that does not treat the connection between justification and power.

I then show that Benhabib's confusing concept of a maxim leads to the somewhat paradoxical position that is named the 'politics of recognition.' This I trace back to the politicization of the utopian undercurrent in the structure of subjectivity.

Foreword

I would like to thank my supervisor, Reidar Maliks, for his help with the writing of this thesis. I would also like to thank everyone that suffered my conversation, with more generosity than decency requires, while I was working through the material I have used here. For that, I hereby declare my gratitude.

x

Table of contents

Chapter 1

Seyla Benhabib has conducted what she calls an 'anticipatory-utopian critique' of discourse ethics, wherein she aims at the "clarification of moral and political principles, both at the meta-ethical level with respect to their logic of justification and at the substantive, normative level with reference to their concrete content" (Benhabib, 1992:152). This she does by analyzing the moral point of view in terms of relations between 'concrete' and 'generalized' others within a discourse ethical framework that, compared with Habermas' discourse ethics, widens the scope of the moral while simultaneously strengthening the bond between questions of the good life and questions about morality (Benhabib, 1992:ch5–6). In its turn, this explication of the moral undergirds the political, transfigurative project of 'the politics of recognition' that was announced with Benhabib's 1986 'anticipatory-utopian critique' of discourse ethics that centered on "the norms of solidarity, friendship, love and care", based on the view that "each is entitled to expect and to assume from the other forms of behaviour through which the other feels recognized and confirmed as a concrete, individual being with specific needs, talents and capacities" (Benhabib, 1986:341).

  I am going to argue that Benhabib's explication of the moral point of view in these terms that leads, in her rhetoric, to an 'interactive universalism,' blurs the distinction between questions of the good life and questions of morality in such a way that it becomes impossible to distinguish between the deontological search for 'what one should do' and the 'clinical question' (in Habermas' terminology) of what is good for me, you or us (Habermas, 1993:4–7). By making this distinction vague, Benhabib also makes it unclear what the meaning of a moral rule is supposed to be.

  In a deontological sense, whether or not one is justified in following a rule of action, or a maxim, is conditioned on its universalizability, which here will mean whether or not the general following of the rule can be agreed by each to be in the interest of all (Habermas, 1993:7). These rules of action are distinguished from rules of action oriented towards preferences, or questions of the good, which are always conditional rules in the form of "a *relative ought*, the corresponding directions for action specifying what one 'ought' or 'must' do when faced with a particular problem if one wants to realize certain values or goals" (emphasis by the author, if not otherwise specified, the emphasis is always by the author) (Habermas, 1993:3). In the first case of morality, one is faced with the task of acting in such a way that one's action is compatible with the will of all, in the second it is clear that *if* you

want something, *then* you have to employ means X or Y to realize this goal. I am going to show that the way in which Benhabib explicates morality makes it seem as though one can have a duty to want one good over another, which makes the notion of a 'rule of action' extend to the willful ordering of preferences based on the putatively universal wish that these preferences should be shared. In this connection I will argue against Benhabib based on the assumption that one cannot have a duty to feel otherwise than one does, that her position is implausible without either stripping imperatives of their meaningful content of commanding actions, or by making it a duty to privilege one idea of the good life over others. Both of these alternatives, I claim, are unacceptable.

As a correlate to her 'interactive universalism,' Benhabib has formulated the political program of the 'politics of recognition.' At the end of the thesis, I will show how the blurred distinctions in Benhabib's theory may account for some of the rather paradoxical demands from the 'politics of recognition.'

My choice of theoreticians is grounded on two considerations. Firstly, I take the discourse theoretical framework to be the most fruitful contemporary approach to normative thinking. Secondly, I assume that Habermas and Benhabib are representative for two directions within the ethics and political philosophy that is based on discourse theory.

Habermas' discourse theory is based on a comprehensive understanding of rationality, selfhood, language and validity. It has been employed the fields of law, sociology, psychology, ethics, epistemology and more, but its main feature is that it tries to explain the procedures under which someone can rationally come to agreement about something with someone else. In this context, what is under discussion is the procedure of how one can come to an agreement about which rule of action to choose in the different spheres of ethics and morality, and how these spheres are to be distinguished from one another. Since the differences between conceptions of the moral in Habermas' and Benhabib's theories are grounded in their different clarifications of the moral point of view, and the moral point of view is grounded on a shared conception of the intersubjective constitution of subjectivity, or the ego, I find it expedient to start with a description of the concept of subjectivity as explicated within discourse theory, before showing how this is connected to the moral point of view. After having done this, it will be possible to analyze the differences between questions of the good and the right in a manner that is meaningfully connected with discourse theory itself.

Therefore, this thesis is structured in the following manner:

2

1. The intersubjective constitution of the self (Chapter 2)
2. The moral point of view – two approaches by Habermas and Benhabib (Chapter 3)
3. How these approaches influence the political thinking of Habermas and Benhabib (Chapter 4)

Where 1. clarifies the common ground from which to speak of discourse ethics and morality at all, 2. makes clear how this might be interpreted differently by Habermas and Benhabib and 3. draws the conclusions from these different approaches as they appear in Habermas' and Benhabib's political thinking.

  The thesis should give a cross-section of discourse ethics at the disputed distinction between questions of the good life and questions of morality, from the constitution of the self to the level of normative politics, with the main part discussing this distinction as it pertains to the justification of maxims.

Chapter 2

The Intersubjective Constitution of the Self

Before moving on to discussing the different interpretations of morality in Habermas' and Benhabib's theories, I will give a quick explication of the notions of 'individuality,' 'relation-to-self,' 'self-determination (autonomy)' and 'self-realization (in a concrete ethical life oriented toward the good)' the way Habermas construes them as intersubjectively constituted. The reason for doing so is to not fall into the same trap as "a number of thoughtful commentators" that

> insist on interpreting Habermas's moral theory first by abstracting it wholly from his social theory of modernity, and second, by failing to appreciate the degree to which Habermas has accepted Hegel's critique of Kant. One point that is persistently lost in such commentaries is how Habermas has tried to concretize Hegel's insight about the social and cultural constitution of self identity by returning to George Herbert Mead's 'symbolic interactionism.' (Benhabib, 1992:146)

The goal of this chapter is to show the structure of subjectivity that informs the later discussion of morality. I contend – both explicitly and by the structure of this thesis – that some of the moral theoretical views and disagreements between Habermas and Benhabib may not be understood without first knowing what the intersubjective constitution of the self entails under postconventional conditions, which is exactly the conditions under which Benhabib and Habermas treats individuals as moral subjects.

Habermas and Benhabib both use a concept of selfhood, or subjectivity, that is intersubjectively constituted, based on the performative attitude between subjects and that, under postconventional conditions, has an "utopian undercurrent" (Habermas, 1992:188) or entails "utopian projections" (Benhabib, 1986:340). The way I will be using the term 'postconventional' will be to indicate the type of reflexive consciousness where no norm, demand, proposition or such will be regarded as given. Postconventional conditions are those that demand both that the subject must choose what to believe and which norms to follow, and will have to do so rationally.

I will now explain the structure of individuality as described by Habermas in a modification of the theory of subjectivity by George Herber Mead, but used by both Habermas and Benhabib in their theories. I will do so in the first instance without loading the structure of subjectivity/individuality itself with any normative force. Certainly, Habermas and Benhabib do propound the normative force of this structure, but that discussion will be taken up in chapter 3. For me to be able to show the difference in loading postconventional individuality normatively, it will be best to start with the structure of subjectivity as something allowing for normative interpretations, but where the abilities for speech and action, the self-determination and self-realization enburdening these individuals – even the 'utopian projections' that ensue – are properties that enable normative interpretation, but these normative interpretations require their own justification.

The overlap between Benhabib's and Habermas' theory constructions are by no means accidental: Benhabib bases her normative project on a change of emphasis within Habermas' discourse theory itself, which has maintained, at least since *The Theory of Communicative Action,* that social identities are both intersubjectively created and, under postconventional conditions, subject to the "expectations of consensus and risks of disagreement" that "alters the conditions of socialization" (Habermas, 1984:341). Under these altered conditions, interactions that was formerly, under "conventional" or "traditional" circumstances, "normatively *ascribed*", must be "communicatively *achieved*" (Habermas, 1984:340). This creates a peculiarly modern ambiguity. On the one hand, previously taken-for-granted ways of living can be critically evaluated, modified, absented or chosen, thereby giving the participants in interaction the freedom and opportunity for rational self-determination and self-realization. On the other hand, the "unitary sense of life-conduct" previously imparted by traditional world-views fall "to pieces" and results in a "loss of meaning" (Habermas, 1984:245–47). In other words, modernity gives both the gain of "what some celebrate as institutionalized individualism" and the loss of what "others abhor as a subjectivism that undermines traditionally anchored institutions, overloads the individual's capacity for decision making, gives rise to a consciousness of crisis, and thereby endangers social integration" (Habermas, 1984:341, cf. Habermas, 1992:195–200).

The origin of this tension is to be found in the constitution of the social subject itself. Central to the discourse theoretical concept of individuality, is the idea that the individuation of persons occurs through lingual socialization. Of course, as Habermas takes care to show, there are several types of individuality. There is numerical and qualitative individuality, and

also the kind of self-conscious individuality wherein I can state that I am me and no one else, wherefrom I also can make myself accountable for who I am and what I do (Habermas, 1992:152, 159). The first two are not of any specific interest here. Numerically, any thing is individual, it is the thing which it is that is physically apart from everything else, and qualitative individuality denotes the way in which something can be said of one thing that cannot be said of any other. I will assume, without any further comment, that these kinds of individuality always unproblematically applies to all people, dead or alive, in a way that needs no further elucidation. Self-consciousness is a different proposition, since it applies only to persons and allows us to speak of accountability, subjectivity, self-determination (autonomy) and self-realization (the pursuit of one's chosen ethical life).

Origins of self-consciousness

With this in view, Habermas undertakes to "explain the meaning of the expression 'individuality' with reference to the self-understanding of a subject who is capable of speech and action, one who in the face of other dialogue participants presents and, if necessary, justifies himself as an irreplaceable and distinctive person" (Habermas, 1992:168).[1] The important thing to note is that this self-understanding comes about as a intersubjectively created ego, as a relation-to-self that is created through socialization. This "self-consciousness forms itself on the path from without to within, through the symbolically mediated relationship to a partner in interaction" (Habermas, 1992:177) in a certain way when the "performative attitude" is taken by participants in interaction. The performative attitude is described by Habermas as the "symmetrical you-me relationship" which simultaneously "socializes and individuates the participants" through "the unforced synthesis of linguistically reached understanding" (Habermas, 1992:163). The only objective, that is, non-subjective, element in these interactions is language itself, by which I can affect myself and my partner in

---

[1] I have chosen to rely on Habermas' explication of individuality and selfhood as it is presented in the long-ish essay "Individuation through Socialization: On Mead's Theory of Subjectivity" from the book *Postmetaphysical Thinking*, published in an English translation in 1992. This theme is treated by Habermas elsewhere, and extensively in *The Theory of Communicative Action.* The version relied on in the text does not diverge from what Habermas has written before, but it does give an account tailored to show the interrelation between self-realization and self-determination, or ethical and moral questions, which is useful for present purposes.

conversation in the same way. However, I cannot perceive the meaning of what I present in language without this other person's reaction to my sayings.

> My vocal gesture obtains a meaning *for me* taken from the perspective of the other who reacts to it. The character of the vocal gesture is thereby transformed. In the effect it has on oneself, one's vocal gesture stands in for the behavioral reaction of one's opposite number; it takes its provisionally objective meaning from this behavioral reaction; in that this meaning becomes accessible 'for me,' however, the vocal gesture transforms itself from a segment of behaviour into a sign substrate – the stimulus turns into a bearer of meaning (Habermas, 1992:172).

The meaning of my linguistic behaviour only becomes apparent to me when I 'read off' the effect it has on my co-participant in interaction. My relation to myself is first of all the relation of the other person towards me, as I understand myself as this person's opposite number in the same way that he is my opposite number. I thereby become aware of myself only through my participation in linguistic interaction among others that are 'like me,' and appear as a distinct user of a collectively shared language, the language that both makes it possible for me to become aware of my distinctness and reveals to me my dependence on this shared practice, which I am both formed by and form myself. The nature of this linguistic practice makes the "smallest analytic unit" in any interaction, according to Habermas, the "relationship between ego's speech-act and alter's taking a position" (Habermas, 1992:163). The taking of a position involves the taking of a yes/no-position on the offered speech-act.

In contrast to the attitude which Habermas calls the 'philosophy of consciousness,' interactions between myself and other individuals here comes prior to the self-conscious interaction I have with myself alone (cf. the Arendt quote at the end of this chapter, pp. 11–12). Self-consciousness seen from the perspective of the 'philosophy of consciousness' is a process where "the 'I,' which is the aspect in which the knowing subject comes upon itself in self-reflection, has always already been objectified into a 'me'" (Habermas, 1992:171). Whereas the 'philosophy of consciousness' grasps the relation-to-self as an objectivation, that is, the self is seen as something to be known by experience of it, the communicative model pushes the original act of coming to know oneself out into linguistic interaction in the "I-you and you-me relation, which is distinguished from the I-s/he and I-it relations" (Habermas, 1992:163). The 'philosophy of consciousness' interprets the self that I come upon as something I can come to learn about, while the communicative, intersubjective relation-to-self introduces the further element of the spontaneously acting "'I' [that] then stands for the actor

of a speech-act, who in a performative attitude enters into an interpersonal relationship …
with a second person" (Habermas, 1992:189).

The move into the communicative model, as Habermas noted in another context,
"involves more than a change of terminology" (Habermas, 1996:3). This break with 'the
philosophy of consciousness' entails that "[i]n this attitude to another person toward a second
person, the speaker can relate to himself as a speaker *in actu* only by taking up the perspective
of the other and becoming visible to himself as the alter ego of his opposite number, as the
second person of a second person" (Habermas, 1992:189). Habermas is therefore able to
introduce the 'I' into an equation that previously only had a 'me.' From this perspective, what
is done when one participant in interaction addresses a second person, is that he both offers a
speech-act with its own validity claim and presents himself as the person which he
irreplaceably is. This accompanies all speech-acts because of the structure of interaction, the
relation-to-self and the taking of yes/no positions that accompany any performed speech-act,
which presuppose one another. Even though I may seek to propound an objective state of
affairs, I can only do this as myself in a shared language. Of course, whether or not the
speech-act is valid does not entirely depend the one who speaks, but a speech-act has to be
spoken by someone, and that someone appears then as an individual in interaction and as the
offerer of a, presumptively valid, speech-act.[2]

This intersubjectively formed self-relation takes on another dimension when
the subject that is conscious of itself appear as a "*practical* relation-to-self", where not only
the meaning of a shared language, but also "the behavioral expectations of others" becomes
imputed to the subject from without. Here "ego takes over alter's *normative*, not his *cognitive*
expectations" (Habermas, 1992:179). Habermas goes on to say that, "to be sure[,] the process
retains the same structure." But: "The 'me' of the *practical* relation-to-self is no longer the
seat of an originary or reflected self-*consciousness* but an agency of self-*control*" (Habermas,
1992:179). At first, the creation of the practical relation-to-self appears as demands for a
certain behaviour that comes from the outside, the society one is socialized into, and is then
internalized. By becoming aware that certain modes of behaviour are demanded, the subject
learns to see himself as a person that should meet these demands. Being accountable and

---

[2] The relationship between different types of speech-acts and their validity claims are quite complex.
Purely constative speech-acts do not need a participant in communication for its validity, even though
all speech-acts presuppose a speaker, and self-presentative speech-acts rely on nothing more than the
speaker's authenticity for its acceptance or denial. For a clarification of the intricate relationship
between reason, validity, the world and language in discourse theory, see "Some Further Clarifications
of the Concept of Communicative Rationality" (Habermas, 1998:307–342).

8

acting in relation to others' expectations first occurs as a possibility when the others act on this expectation to the subject enduring socialization. The 'me' that the acting 'I' is supposed to conform to is given through this type of socialization (Habermas, 1992:180). In this way the individual becomes socialized as a 'social type,' which is at the center of 'conventional morality.' The pull of the imputed expectations and the interests of the individual might in this instance clash violently, leading people to "'attack themselves in blind fury'" (Habermas, 1992:182). Thus, Habermas interprets the conventionally socialized 'me' as a step on the road to full individualization by the power of the 'I' to form itself after its own fashion and not only be formed by its surrounding society: "The 'me' is the bearer of a moral consciousness that adheres to the conventions and practices of a specific group. It represents the power of a *particular* collective will over an individual will that has not yet come into its own" (Habermas, 1992:182).

When the individual 'comes into its own,' it puts the 'collective will' under scrutiny, but the process remains essentially the same, only now ego-identities and given norms comes under reflective scrutiny by the individuals themselves. The individuals are still bound to a community for recognition of themselves and agreement upon norms. What has been removed at the postconventional level of 'identity formation' is the givenness of the content of these identities and the norms of the community. The identity structure of individuals remains tied to the confirmation of itself achieved in interaction through the eyes of the other:

> Not only as an *autonomous* being but also as an *individuated* being, the self of the practical relation-to-self cannot reassure itself about itself through direct reflection but only via the perspective of others. In this case I have to rely not on others' *agreement* with my judgements and actions but in their *recognition* of my claim to uniqueness and irreplaceability. Since an ego-identity that no longer merely adheres to the 'social type,' that is, one that is postconventional, articulates itself in an unconditional claim to uniqueness and irreplaceability, a moment of idealization comes into play… . The idealizing supposition of a universalistic form of life, in which everyone can take up the perspective of everyone else and can count on reciprocal recognition by everybody, makes it possible for individuated beings to exist within a community – individualism as the flip-side of universalism. (Habermas, 1992:183)

On my construal of this structure of individuality, and in this context, what I want to draw attention to is the postconventional individual as not only a bearer of meaning, a bearer of identity and obligations, but is the carrier of the *possibility* for meaning, identity and obligations, a possibility that can only be fulfilled in interaction that follows the same described pattern of individuation as in the conventional case of adhering to 'social types.' The difference in the postconventional case being that the meanings, identities and obligations could in principle – before any normative constraints are set – be whatever as long as it is existentially possible, excepting some formal restrictions deriving from the nature of individuation as a product of socialization.

These restrictions are intersubjective agreement and recognition, as stated in the quote above. Both agreement and recognition are internally connected to the occurrence of their corresponding 'institutions.' Norms, or behavioural expectations, in the case of agreement, and ego-identity in the case of recognition. These require a reciprocal dynamic between society and individuals to stabilize themselves. For a society to be stable its norms must be agreed upon as valid to a certain extent for behavioural expectations, which facilitates the execution of long-term plans, actions, association and so forth, to be possible at all. The individual requires a reasonable amount of recognition to be able to stabilize his personality structure, without which his integration in the normatively organized society fails. Therefore universalism (what we all do and expect) is the flip-side of individualism (the one I am in relation to us all). The kind of 'anticipated recognition' built into a postconventional identity is what constitutes its 'utopian undercurrent.'

The 'utopianism' is first of all a consequence of the fact that an expression first becomes meaningful when it is presented before an other, and the expectation of this other taking a position being part of the meaning of the expression. At least the anticipation of the recognition of the expression must be there for the expression to be a carrier of meaning.

> The 'I' itself *projects* the context of interaction that first makes the reconstruction of a shattered conventional identity possible on a higher level. This reconstruction is made necessary by processes of societal differentiation. That is, the latter have set in motion a generalization of values, and especially in the system of rights, a universalization of norms, and these processes demand a specific kind of independent accomplishment from the socialized individuals. The onus of these decisions requires a nonconventional ego-identity. Although the latter can only be thought of as socially constituted, still a social formation

corresponding to it in any way does not yet exist. This paradox is resolved in the temporal dimension. (Habermas, 1992:187)

An individual must both choose who to be and become this person in social interaction, and the interaction itself will be constitutive of the individual that this person can form itself as. This should not be read as though individuals form their identities in private and bring them out for perusal in the public as if ego-identities were objects that one is eager for others to appreciate. Rather, the ego-identity of the individual is accomplished when it is recognized by others, who also participate in the formation of it by the way in which they do the recognizing. The differentiation of normatively ascribed behaviour and one's social type at the postconventional level splits the individual in two complementary parts, and these parts are realized differently but must be realized simultaneously for either one to be able to stabilize. The ability to choose the norms one is to follow is then to act autonomously, while the realization of some ego-ideal/identity is achieved through the methodical leading of one's life according to one's notion of the good life, or this can also be called, following Habermas, self-determination and self-realization, respectively.

This rather technical presentation of self-consciousness and the intersubjectively constituted relations to self, can be made more tangible with reference to what Hanna Arendt has called the 'two-in-one' of the thinking subject. The difference in style between the pragmaticist technolect of Habermas compared with the more story-like voice of Arendt is instructive for the later discussion of the moral point of view as it is presented by Habermas and Benhabib. While Benhabib is far more accessible, as is Arendt, the more technical language in Habermas' writings has the advantage of being more unequivocal. Arendt is here describing the difference, as she sees it, between loneliness and solitude, and thereby disclosing the individual's constitutive dependence on others:

> Loneliness is not solitude. Solitude requires being alone whereas loneliness shows itself most sharply in company with others. … [T]he lonely man (*eremos*) finds himself surrounded by others with whom he cannot establish contact or whose hostility he is exposed. The solitary man, on the contrary, is alone and therefore 'can be together with himself' since men have the capacity of 'talking with themselves.' In solitude, in other words, I am 'by myself,' together with my self, and therefore two-in-one, whereas in loneliness I am actually one, deserted by all others. All thinking, strictly speaking, is done in solitude and is a dialogue between me and myself; but this dialogue of the two-in-one does not lose contact with the world of my

fellow-men because they are represented in the self with whom I lead the dialogue of thought. The problem of solitude is that this two-in-one needs the others in order to become one again: one unchangeable individual whose identity can never be mistaken for that of any other. (Arendt, 1966:476)

The intuition Arendt is here describing in a more picturesque language, I claim correspond to the structure of subjectivity as it has been described in this chapter.

A Recapitulation of the Nature of Individuality

The intention of this chapter has been to show the origins of self-consciousness as it is understood in discourse theory, and to show how the structure of the practical relation-to-self is divided into the interdependent parts of the autonomously acting norm conformative individual and this person's ego-identity. Although autonomy as the ability to conform to norms one has agreed to is clearly set out in the previous explication as the 'flip-side' of individualism, the normative content of the different terms 'autonomy' and 'individuation' is left undecided in my explication. If I set out the two terms in the language Habermas also uses, self-determination and self-realization, this 'emptiness' is easier to grasp (Habermas, 1992:183). What norms and what ego-identity, what to do and who to be, how to choose and how to evaluate the validity of these choices, has not been touched upon. What we have is the structure of a subject that *must choose for itself* but must do so *through interaction with others*. How the subject should choose will be the theme of the next chapter.

What we have gained thus far is an understanding of the predicament of postconventional individuals. This includes the linguistic socialization through which individuals can communicate with each other and also distinguish themselves as unique and irreplaceable, and this self-consciousness in relation to oneself, but also in relation to others, opens up the space within which the individuals, as participant in linguistic interactions – these, as was shown, can be both internal and external, but are always structured on the basis of an expected interaction – can critically assess the claims to validity that are raised. The origins of the tensions I mentioned at the start of this chapter becomes visible in the intersubjective structure of subjectivity.

In conventional interaction, the individual's claim to individuality, the normative framework and the anticipated recognition is taken care of by imputing to the subject that it

should follow some 'social type.' When the 'social type' one is a representative of is the thing in need of recognition, what is evaluated is not the choice of self-representation itself but the degree to which this ideal is achieved. On the level of postconventional ego-identity this is not the case. So even if the chosen self-presentation stands in need of recognition, this is by no means guaranteed. This is experienced, according to Habermas, as a 'loss of meaning.' Now I am able to explicate the extent to which this loss makes itself felt for the individual: the individual cannot be socialized or individuated properly without being recognized in symmetrical linguistic interaction, and when that dynamic is effaced, so is the individual's opportunities for participation in society. The other pull in this tension points towards the "utopian undercurrent" I also mentioned. Freed from traditional patterns of socialization, individuals become able to form their own identities (and morality), but this can only be done if these individuals can anticipate recognition of their (as of yet) unseen individuality. At the same time, these individuals are faced with the problem of regulating their lives together. Autonomy and self-realization is the two sides of the coin that must be factually present for either of them to exist in a stabile manner. Habermas has illustrated how the postconventional stage enburdens the individual.

> If by way of thought experiment we compress the adolescent phase of growth into a single critical instant in which the individual for the first time – yet pervasively and intransigently – assumes a hypothetical attitude toward the normative context of his lifeworld, we can see the nature of the problem every person must deal with in passing from the conventional to the postconventional level of moral judgement. The social world of legitimately regulated interpersonal relations, a world to which one was naively habituated and which was unproblematically accepted, is abruptly deprived of its quasi-natural validity.
>
> If the adolescent cannot and does not want to go back to the traditionalism and unquestioned identity of his past world, he must, on penalty of utter disorientation, reconstruct, at the level of basic concepts, the normative orders that his hypothetical gaze has destroyed by removing the veil of illusions from them. (Habermas, 1990:126)

The content of the postconventional individuals' autonomy and ability to realize themselves has been left uncommented by me, with the intention of making clear that the need for recognition and an environment of stabilized expectations, post-convention, enburdens individuals with the actual choosing. What it is to choose rationally under these conditions will be discussed in the next chapter.

Chapter 3

Morality and the Moral Point of View – Two Approaches

In this chapter I will investigate how Habermas and Benhabib suggests that the problems facing the postconventional individual might be solved. I will show how Habermas' concept of 'ideal role taking' is employed to define the moral domain in his theory, and then go on to compare it with Benhabib's broader interpretation of the moral domain.

The notion of 'ideal role taking' is an explication of 'the moral point of view.' 'The moral point of view' describes, according to Habermas, "the standpoint from which moral questions can be judged impartially" (Habermas, 1993:48). A moral question, in this context, refers to every norm that can "satisfy the condition that the consequences and side effects its *general* observance can be anticipated to have for the satisfaction of the interests of *each* could be freely accepted by *all*" (Habermas, 1993:32). The moral point of view's role in discourse ethics is explained by Habermas thusly:

> Given the communicative presuppositions of an inclusive and noncoercive discourse among free and equal partners, the principle of universalization requires each participant to project himself into the perspectives of all others; at the same time, it remains possible for each participant to test whether he can will a disputed norm as a general law from his own point of view on the basis of reciprocal criticism of the appropriateness of interpretive perspectives and need interpretations (Habermas, 1993:52).

Although her view is said to be, by Habermas himself, compatible with this formulation of discourse ethics, Seyla Benhabib has developed an 'anticipatory-utopian critique' of what she calls 'substitutionalist' universalism, in favour of 'interactive' universalism (Benhabib, 1992:153). I am now going to describe her position, then I will point out some weaknesses connected with the 'anticipatory-utopian' element in this interactive universalism not encountered in Habermas' more austerely formulated theory.

According to Benhabib, 'substitutionalist' universalism was developed in the social contract theories from the enlightenment tradition. It is characterized by disembodied and disembedded autonomous individuals, a strict separation of questions of justice and the good life and an orientation towards 'the generalized other' (Benhabib, 1992:154, 158). Benhabib

elaborates the background upon which autonomous individuals are said to act in this tradition by pointing out the central features of the "state-of-nature" metaphors, first introduced by Hobbes: Man is viewed as consisting of lonely, fully grown adults that come suddenly to full maturity "like mushrooms", and is "a narcissist who sees the world in his own image; who has no awareness of the limits of his own desires and passions; and who cannot see himself through the eyes of another" (Benhabib, 1992:156). Consequently, what the social contract theorists sought to do was to set the premises for a society where these individuals could coexist in relative peace under the rule of law.

In an effort to describe the moral point of view in a way that doesn't emaciate the concept of a moral person, Benhabib divides moral relations into either relations between 'general' or 'concrete' 'others', with corresponding 'moral categories' and 'moral feelings'. Here is her anatomy of moral relations:

> The moral categories that accompany such interactions [between generalized others] are those of right, obligation and entitlement, and the corresponding moral feelings are those of respect, duty worthiness and dignity.
> …
> The moral categories that accompany such interactions [between concrete others] are those of responsibility, bonding and sharing. The corresponding moral feelings are those of love, care and sympathy and solidarity (Benhabib, 1992:159).

What is clear from this is that, according to Benhabib, persons in 'the state of nature' are defectively described as being whole moral persons while only having half of the requisite moral repertoire. A further point is that these relations correspond to different action contexts. The generalized other is the one we meet in institutional, public contexts, while relations between concrete others are found in private, intimate, largely uninstitutional contexts (Benhabib, 1992:164). It is from this concept of the moral person and the moral point of view that Benhabib develops her 'interactive universalism.'

Since this 'interactive universalism' as derived from the concepts of the 'generalized' and 'concrete' other is supposed to be complementary to Habermas' discourse ethics, I will now give a short description of the discourse ethical position, before I compare it with Benhabib's 'interactive universalism'.

Discourse Ethics

Discourse ethics is centered around how norms can be justified under conditions of what Habermas alternately calls "modernity", "post-metaphysical thinking" or at a stage of "postconventional levels of justification" (Habermas, 1996:72–76). At this stage of development, as was shown, what was previously considered given and fused together, such as one's world-view, life-style, law and morality, no longer derives its legitimacy and integrative force from tradition, but has to shift to "a consensus that is achieved communicatively, that is, agreed upon" (Habermas, 1984:255). As we saw in the discussion of individuality, this enburdens individuals with the demand that they must be choose for themselves how to live and what norms to follow. Under these conditions, one is both emancipated from imputed expectations and have lost the socially integrative framework of tradition. Discourse ethics is Habermas' answer to how these demands can be rationally met.

The insight that gives rise to a postconventional consciousness, namely that no single metaphysical system, ontology, religion or tradition is able to bestow unconditional validity to a set of norms and a way of life, is preserved in discourse ethics, which only attempts to describe the procedures for the rational justification and application of norms. It is both a 'cognitive' and a 'procedural' ethics in the sense that what the correct use of the procedures produce is a type of cognitive "cultural knowledge" related to the "social world" understood as "the totality of legitimately ordered interactions" (cf. p. 18). Valid norms on this model have to be justified under the condition of the discourse principle 'D'. Here shown with Habermas' preliminary explanation of its content:

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

> This formulation contains some basic terms that require elucidation. The predicate 'valid' (*gültig*) pertains to action norms and all the general normative propositions that express the meaning of such norms; it expresses normative validity in a nonspecific sense that is still indifferent to the distinction between morality and legitimacy. I understand 'action norms' as temporally, socially and substantively generalized behavioural expectations. I include among 'those affected' (or involved) anyone whose interests are touched by the foreseeable consequences of a general practice regulated by the

norms at issue. Finally, 'rational discourse' should include *any* attempt to reach and understanding over problematic validity claims insofar as this takes place under conditions of communication that enable the free processing of topics and contributions, information and reasons in the public space constituted by illocutionary goals. (Habermas, 1996:107–108)

The principle 'D' as it is stated here is still undecided as to which type of norm that is to be justified and which type of reasons that can ground these norms. As it now stands, the principle can be applied to any action norm of any type, whether of a technical, ethical or moral nature, and the reasons that can be relevantly proffered would then be decided by the type of norm at issue and the kind of reasons that are relevant for such norms. Without further specification, which shall be given, this principle does not tell us anything more or less than the validity basis of action norms in general. However, it does give me an opportunity to state clearly what is meant by the 'cognitive' and 'procedural' character of discourse ethics.

Its cognitive character can be explained by the relation between 'ought' sentences and the social world. What Habermas calls the social world is what is neither part of the objective world of states of affairs which is common to all, nor the subjective world of which only the individual himself has access. The notion of 'worlds' comes from Habermas' social theory, and in this instance refers to independent totalities of which something can be stated. The objective world is the totality of stateable facts, the social world of the totality of normatively ordered interactions and the subjective world is whatever is not part of either the objective or the social worlds. The social world is "a world produced by the actors themselves but in accordance with standards that are not at their disposition and that, in a similar though less rigid manner to the existence of states of affairs, are independent of them" (Habermas, 1993:26). With this definition of the social world and the inclusion of the discourse principle, two aspects of normatively guided behaviour presents themselves: There is something 'in the world' that with reference to normatively guided behaviour can be 'known objectively,' that is, norms exist with reference to something shared, and these norms can also be evaluated as to their validity by subjecting them to the test of whether everyone affected can agree to them in rational discourse, which is made possible by the fact that the actors themselves constitute and reproduce the social world in their interactions. They act on shared expectations and are at the same time able to critically evaluate, one by one, the expectations that should be shared. This dual aspect of facticity and validity is what makes it possible in discourse ethics to

18

compare what is to what should be, it provides "a critical standard, against which actual practices … [can] be evaluated" (Habermas, 1996:5), and it is by reference to what can be justified as valid with reference to the social world that discourse ethics is involved in the explication of the criteria of cognitive 'knowledge'. It is the knowledge, ultimately, of all valid 'ought' sentences.

The procedural character of discourse ethics is inherent in the discourse principle in another way. Without recourse to some criteria of validity that is 'above' or 'beyond' ourselves, people must justify norms with reference to themselves and others and nothing else. Since the individuals who are to regulate their lives together are the only source of the validity of norms, which norms that are to be chosen cannot be determined prior to discourse between those affected. It is redemption in such a discourse that bestows validity on any norm. The procedure itself is defined as a set of pragmatic presuppositions of argumentation, the following of which is able to determine whether or not a proposed norm of action conforms to the discourse principle. There are two sets of such presuppositions. Firstly, for any type of communication to obtain, participants must "ascribe identical meanings to expressions, connect utterances to context transcendent validity claims, and assume that all addresses are accountable, that is, autonomous and sincere, with both themselves and others" (Habermas, 1996:6). Secondly, in discourse, where problematic validity claims are tested – such as the truth of a statement, the rightness of a norm or the sincerity of a self-presentation – certain conditions must be assumed, and to the degree that the discourse meets these, can be evaluated in light of these conditions. For a discourse to be rational it must be presupposed that it is open to everyone, that the participants have equal rights of participation, that they act truthfully and that the "'yes' and 'no' responses" to validity claims "be influenced solely by the force of the better argument" (Habermas, 1993:31–32). These are the conditions of openness, equal rights, sincerity and non-coercion. In normative justificatory discourses, the discourse principle is the 'rule' that constrict the participants as to what determines the end of the discourse – it sets the criteria that must be fulfilled for a norm of action to be deemed valid or invalid.

In moral discourse, the discourse principle must be specified to the principle of universalization, or 'U.' That principle is as follows:

> Every valid norm must satisfy the condition that the consequences and side effects its *general*
> observance can be anticipated to have for the satisfaction of the interests of *each* could be

> freely accepted by *all* affected (and be preferred to those of known alternative possibilities for regulation). (Habermas, 1993:32)

The emphasis in the moral rule is on the equal weighing of the interests of the possibly affected parties. To make this accord with the mentioned four prerequisites for rational discourse – openness, equal rights, sincerity and non-coercion – Habermas claims that participants in moral discourses must make three idealizing abstractions, if moral norms are to be construed as norms that are relevant for everyone at all times. These are: Abstraction from the requisite motives, abstraction from the given situation and abstraction from concrete ethical life (Habermas, 1993:126, 128, 130). Abstracting from all contingent circumstances, the ability to interchangeably take up the perspective of all participants and observers, and focusing on what will hold for everyone at all times furnish the basic elements of the 'moral point of view.'

These elements make what can be properly called moral questions narrowly defined and moral norms become subject to extremely strict levels of justification. It should be noted that the performative attitude of the 'I' that was discussed in chapter one must be upheld for a discourse to be normative. The Kantian intuition that Habermas is trying to defend, namely that valid norms must be able to be willed by all, is dependent on actual participants in interaction coming to agreement in actual discourses (Habermas, 1993:118). Discourse here serves as the rational mediator between validity and actuality. Habermas creates his theory on the supposition, contra Kant, that one cannot know what all could will until they have been asked. Of course, trying to synthesize or collate what everyone is currently willing or wanting, as in a statistical regress, would hardly give a rational, coherent answer to the question "What should I/one do?". The moment of rationality only comes to the fore when norms are justified. Under the formal conditions for rational discussion mentioned above, moral norms can be perfectly justified, according to Habermas, only if one extends the discourse about action norms to a wholly inclusive discussion that "ultimately includes *all* subjects capable of speech and action" and goes on indefinitely into the future (Habermas, 1993:124). These idealizations mean that norms can never be perfectly justified in real practical discourse, but what these idealizations do is that they set standards by which to evaluate justificatory procedures – whether discussion stopped to soon, was not open enough or latent coercion got play, and so on, will reflect the degree of rationality of the norms arrived at in discourse.

Between Benhabib and Habermas, the discursive mode of justification of norms according to these idealizations is not in dispute. What they do dispute, however, is how to circumscribe the moral domain and what constitutes the moral point of view. I will now explain Habermas' three abstractions with regards to the moral domain, the moral point of view and how he justifies them, before moving on to Benhabib's critique of this narrowing of the moral field.

"The moral point of view", writes Habermas, "is the perspective from which we can decide among controversial normative claims impartially, solely on the basis of reasons" (Habermas, 1993:118). Essentially, moral norms in this case means questions of justice. Moving the justification of norms into the justice based moral realm in this way implies three abstractions, (1) a deontological abstraction from the requisite motives, (2) a cognitivist abstraction from the given situation and (3) a formalist abstraction from concrete ethical life (Habermas, 1993:118, 122). Before I proceed, a note on Habermas' method, rational reconstruction: Its aim is to systematically work out the formal structure of intuitive knowledge as it appears in competent subjects. In relation to meaning, this means what every competent language user implicitly does every time he uses language; with regards to the structure of individuality discussed above, it shows what individuality is from the perspective of the individual; likewise with morality, Habermas here seeks to describe what it is to make moral judgements from the perspective of a morally autonomous (competent) subject (Pedersen, 2006:1, 44–47). In the context of moral theory Habermas relies on Lawrence Kohlberg's research on moral development. For his explication of the moral point of view to be valid, Habermas relies on it corresponding to what competent subjects intuitively regards as the right way to judge moral norms.

Such an orientation towards the competencies of morally autonomous subjects *prima facie* places an extra burden of proof on a deontological moral theory. Because deontology implies that sometimes one is obligated to act against one's – at least perceived – interests, and against one's notion of the good, solely on the basis of good reasons, it seems rather counterintuitive that this should be how people judge actions. In a more sophisticated version, this is part of Benhabib's criticism of Habermas' moral theory.

(1) The moral point of view requires one to abstract from the motives concerning one's own life when judging moral questions. When judging morally, one must, Habermas claims, make a sharp distinction between questions of the good and questions of morality on the basis that moral norms should be applicable to all, while questions of the good "refer to

what is good *for me* or *for us*." (Habermas, 1993:127). Habermas refers to one of Kohlberg's research interviews to corroborate the distinction between the morally right and the ethically good as separate kinds of questions that are also viewed as such from the perspective of the involved actors:

> He [Kohlberg] illustrates what I have called the deontological abstraction with the responses of a young woman talking about a critical decision in her life: 'I've had a personal decision, my decision to divorce … but I didn't view it as a moral problem. It wasn't. There weren't any moral issues involved, really. The issues involved were – was it the right thing *for us?…*' When asked to say what *would* constitute a moral problem, she imagined the following situation: 'Usually where two principles that I consider valuable look as though they might be clashing. When I think about things like child abuse, for example, there is the principle of family unity and the principle of the welfare of the child … although in this case I would always look out for the welfare of the child' (Habermas, 1993:126)

Habermas is here trying to show that questions of the right and the good differ in their reference. In the first case, the reference is to the specific situation of a divorce where only who the ones involved are, would like to be and which life they want, is relevant. In the second case the reference is to general principles that must be construed as applicable to everyone.

This distinction carries with it the separation of motivation and moral rightness. Whereas questions of who one wants to be – of which ego-ideal to aspire to fulfill – has its own guarantee of being a motivating force, moral norms can only be justified, they do not thereby motivate the will. Valid moral norms, according to Habermas, only have the motivating force that one has no "good reason to act *otherwise*" (Habermas, 1993:128). In the differentiation between self-determination and self-realization described earlier, this separation of motives and duties was already latently present. Now this individuality structure shows its specifically normative content with regards to the different questions of what all could will and what I/we could will. Whereas the latter is oriented towards the good, which generates its own attraction (or else the description of something as 'good' would lose its semantic content), the former is given universal validity at the cost of turning away from specific goods – which because of the plurality of conceived goods that are mutually exclusive cannot aspire to universal acceptance.

(2) The cognitivist abstraction from the concrete situation entails a separation between discourses for the justification of norms and discourses about their application (Habermas, 1993:128). In the justification of norms, the participants in discourse discuss if the norm warrants general adherence. Under these justificatory discourses, particular situations only feature as a way of "illustrating the conditions of application of a norm by means of examples" (Habermas, 1993:128). From the moral point of view, anyone justifying the norm must do so from the perspective of everyone else, but in the case of a particular situation, the justified norms do not prescribe their own application. In discourses of application the appropriate norm must be chosen from the set of justified norms only after "all of the relevant features of the given constellation of circumstances have been accorded due weight in the situational description" (Habermas, 1993:129–130). This should be understood so that the effects of actions also have to meet the same standard of justification norms, that is, be acceptable to all, but also in such a way as to imply that an element of judging which norm is to be considered relevant in each case much be found.

(3) The abstraction from concrete ethical life is supposed to ensure that norms may be justified under conditions sufficiently formal to merit the description 'universal.' With the turn toward a communicative model of the justification of norms, this prompts Habermas to employ the pragmaticist idealization of an "unlimited communication community" as the question of the wherefrom justified norms can appear (Habermas, 1992:130). The inclusion of this idealization is necessary to Habermas' theory because it allows him to retain the essentially public nature of the justification of norms while at the same time not binding it to any pregiven community of participants. Only under conditions where everything can be problematized can the participants in interaction discern "between de facto recognition of norms and norms that are *worthy* of recognition" (Habermas, 1990:126).

For Habermas' discourse ethics it is important to clarify this idealizing abstraction with regard for how the postconventional subject feature in it. In actual interactions, the participants and what they can thematize is naturally limited to the people on hand and the knowledge they possess. In "an ideally extended communication community" these limitations would disappear (Habermas, 1993:130). The validity of any 'ought' sentence should, according to Habermas, be able to withstand criticism in this community, where the four presuppositions of argumentative practice, openness, reciprocity, truthfulness and lack of coercion. Stretched out in this 'ideal' way both normatively – because of the presuppositions of rational discourse – and through time and space – in an idealized communication

community – moral discourse can be thought as a testing ground for unconditionally valid norms. However, the subjects that engage in discourse do not undergo any kind of idealization. The idealization away from ethical life is supposed to occur solely because any limitedly held notion of the good life would be unable to garner rational acceptance within the ideal communication community, wherein "the perspectives, relations of recognition, and normative expectations built into communicative action become *completely reversible*" and undergo unlimited criticism (Habermas, 1993:131).

These three abstractions constitute with which reference moral norms should be subjected to under the moral point of view. In a sense, they say what should *not* be taken account of: motivation, application and notions about the good life. That way of putting it is only half-right. Motivation to act will be given in a certain sense from the fact that every moral norm should be potentially willed by all. The lack of motivation resulting from what could be willed by all always might not appeal to me right now, or ever, since I am, say, in a situation where acting morally would strip me of certain privileges. What is demanded from the abstraction away from motivation is not that I always act counter to my wishes, but that I sometimes might be obligated to do so when my wishes run counter to everyone else's. The abstraction from application entails that there is a difference between justifying norms and justifying actions. And the demand that ethical life be overlooked do not state that the participants in discourse should forget their own life histories and notion of the good, but that these will not carry any weight where they conflict with other's notions of the good.

According to Seyla Benhabib, these abstractions imply both an unjustifiable narrowing of morality and a too strict separation of the right and the good. I will now give a description of her objections to Habermas' construal of the moral point of view, before I defend it against parts of her objections.

Interactive Universalism

Benhabib's critique of discourse ethics in the Habermasian version says that the moral point of view is defined too narrowly, that it abstracts away from too much of what she considers morally relevant. The claim she defends against Habermas is that more types of normative questions than questions of justice can be universally justified. While retaining the discourse ethical element that only actual discourses are able to decide normative judgements, and the intersubjectively constituted self, she also claims that Habermas' discourse ethics is too

formalistic. It will be my argument that the way she defends these claims and the conclusions she arrives at makes it unclear what a moral norm is supposed to be, since, I will argue, she claims the status of moral norms for prescriptions that are supposed to regulate actions that are both outside the agent's control and too dependent on a certain emotional make-up. I shall try to show that the deontological moral unit of a 'maxim' as the thing to be evaluated in practical discourses does not make sense on Benhabib's definition of morality.

Benhabib, while she shares some of her concepts with Habermas, employs her own terminology when speaking of the moral point of view. What Habermas calls impartiality and the interchangeability of perspectives, Benhabib calls an 'enlarged mentality,' the intersubjective constitution of the self is transferred into a 'narrative constitution of the self' in a 'web of narratives' (Benhabib, 1992:198). Finally, the elements of self-determination and self-realization is construed by Benhabib in terms of the 'generalized' and 'concrete other' (Benhabib, 1986:340–342, 446, 449). These shifts are not entirely superficial, and as a consequence of them, Benhabib defends a position she calls 'interactive universalism.'

In formulating her theory, Benhabib puts the emphasis on the transfigurative effects of practical discourse, instead of the Habermasian stress on the formal structure of rational discourses. Her basic assumption is that the focus on the 'generalized' other from the liberal, deontological moral tradition unjustifiably pushes the morality of the 'concrete other' into the realm aesthetic-evaluative judgements. A better description of morality, according to Benhabib, requires a division of labour between the 'generalized' and 'concrete other.' The standpoint of the "'generalized other' requires us to view each and every individual as a rational being entitled to the same rights and duties we would ascribe to ourselves" (Benhabib, 1986:340), while "[o]ur relation to the [concrete] other is

> governed by the norm of *complementary reciprocity*: each is *entitled* [my emphasis] to expect and to assume from the other forms of behaviour through which the other feels recognized and confirmed as a concrete, individual being with specific needs, talents and capacities. (Benhabib, 1986:340)

The 'generalized' and 'concrete other,' as was mentioned at the start of this chapter, correspond to different action contexts. While the 'generalized other' is met with in the anonymous 'formal reciprocity' between strangers that inhabit the same society, the 'concrete other' is met with in the uninstitutional sphere between family members, friends and lovers (Benhabib, 1986:341 & Benhabib, 1992:159). By picking up the threads from the 'utopian

undercurrent' in Habermas' theory, Benhabib seeks to load this 'utopian undercurrent' – remember that in my earlier explication this utopian undercurrent was described solely as the anticipated recognition that must accompany every speech-act, of any type, for it to be meaningful – in a normatively specific way, on the grounds that "it is … inadequate to claim that aesthetic-expressive discourse can accommodate the perspective of the 'concrete other,' for relations of solidarity, friendship, and love are not aesthetic but profoundly moral ones" (Benhabib, 1986:342). The program this entails was formulated by Benhabib in 1986, and she has continued developing it since (cf., Benhabib, 1992, Benhabib, 2002):

> The idea of a communicative ethic is intimately linked to the vision of a democratic public ethos in late-capitalist societies. To articulate the full implications of this position of a macro-theory of democratic institutions, it is important that the concept of 'generalizable interests' be differentiated adequately from its Rawlsian and Rousseauian counterparts. In this task, it is essential that the moments of norm and utopia, of a community of rights and entitlements and of solidarity and empowerment, be brought together such as to reveal their essential tension and mutual compatibility. …
>
> I see the concepts of human plurality and that of the narrative and interpretive structure of action as essential to such a project. By 'plurality' I do not mean that we are distinct bodies in space and time, but that our embodied identity and the narrative history that constitute our selfhood give us each a perspective on the world, which can only be revealed in a community of interaction with others. … A common, shared perspective is one that we create insofar as in acting with others we discover our differences and identity, our distinctiveness from, and unity with, others. The emergence of such a unity-in-difference comes through a process of self-transformation and collective action. (Benhabib, 1986:348)

In principle, the normative proposition that justice shall be done and the sociological presumption that it can only survive if there are some extra feeling of solidarity and 'unity-in-difference' to keep it stable, is not contrary to discourse theory on the model I have described. Hitherto I have described Benhabib's position in relation to Habermas as a 'change of emphasis,' on the ground that both Habermas and Benhabib claim their theories to be "complementary" (Benhabib, 1992:164, Habermas, 1993:154). This is true to the extent that they deal with the intersubjective constitution of the self, justice and society. To the extent that they wish to formulate the moral point of view, the moral domain and moral norms, I claim, in accordance with what Benhabib has written that this is not so (Benhabib, 1992:185).

26

Benhabib's 'interactive universalism' opposes the discourse ethical definition of morality as being limited to '"issues of justice"' (Benhabib, 1992:185). By this, she seeks to show that

> 'Universalism' in morality implies first of all a commitment to the equal worth and dignity of every human being in virtue of his or her humanity; secondly, the dignity of the other is acknowledged through the respect we show for the need, interests and points of view in our concrete moral deliberations. Moral respect is manifested in moral deliberations by taking the standpoint of the other, as a generalized and concrete other, into account. Third, universalism implies a commitment to accept as valid intersubjective norms and rules of action generated by practical discourses … The universalizability procedure in ethics specify a model of individual and collective deliberation and imposes constraints upon the kinds of justification leading to certain conclusions rather than the moral domain itself. (Benhabib, 1992:185)

To exemplify what this looks like in practice and how it differs from the discourse ethical definition of the moral, Benhabib suggests that the maxim "Family members should show support, concern and care for one another" could easily be universalized as something that all could will (Benhabib, 1992:189). Before I go on to show why this, and other examples offered by Benhabib, would constitute a strange interpretation of the notion of a maxim as a rule of action, I will explain the relation between Benhabib's interactive universalism and 'the ethics of care,' which grounds her view that the moral domain should be understood as both relations between generalized and concrete others. This will also allow me to show that the strict distinctions between self-realization and self-determination proposed by Habermas, is not so clear-cut as it appears when one also takes account of the intersubjective constitution of the self, while maintaining that the issues brought to bear by Benhabib is not satisfactorily solved by her broadening of the moral point of view.

As Habermas explains moral concepts as a reconstruction of the moral competencies of adult human beings as described by the research done by Lawrence Kohlberg on moral psychological development, Benhabib criticizes it by reconstructing the competencies of adult human beings as described by the conflicting research done by Carol Gilligan on moral psychological development (Benhabib, 1992:149). The actual research, which is conducted by asking test subjects how they would respond to a moral dilemma and on what grounds, is not very relevant here. As Habermas has said regarding this field of research, the basic concepts that are employed need philosophical justification, although these must afterwards be

confirmed in the empirical sciences that employ them – a concept describing no phenomena would hardly have any justified role in an empirical theory (Habermas, 1993:115). The main difference between these research programs, as with the philosophies of Habermas and Benhabib, it that Kohlberg makes a strict separation between ego-development and moral development, corresponding to Habermas' concepts of self-realization and self-determination – autonomy and ethical life –, while Gilligan focuses on care and responsibility, therefore the name 'the ethics of care,' which correspond to the relationships between 'concrete others' in Benhabib's theory (the relationships between 'generalized others' are kept as it is under this different name as what can be solved under what Habermas calls 'the moral point of view').[3]

Benhabib conducts what she calls an "*anticipatory-utopian critique*" of the justice oriented moral point of view, which she considers to omit mentioning the concrete other in favour of the generalized other. Although mainly aimed at "substitutionalist" normative theories, such as those found in the liberal tradition from "Hobbes to Rawls", her positive contribution, an interactive universalism based on the moral competencies identified by Gilligan, does not correspond exactly to Habermas' discourse ethics (Benhabib, 1992:152–153). Notice the slight shift away from the agreement upon norms in favour of the development of "attitudes", compared with the earlier discussion of discourse ethics:

> While agreeing [with substitutionalist theories] that normative disputes can be settled rationally, and that fairness, reciprocity and some procedure of universalizability are constituents, that is, necessary conditions of the moral standpoint, interactive universalism regards difference as a starting point for reflection and action. In this sense, 'universality' is a regulative ideal that does not deny our embodied and embedded identity, but aims at developing moral attitudes and encouraging political transformations that can yield a point of view acceptable to all. (Benhabib, 1992:153)

As with Habermas' discourse ethics, Benhabib seeks to explain morality from the perspective of the acting, morally accountable subject. However, Benhabib claims that the moral 'object domain' should be extended to the special interactions between "family, friends and group members" (Benhabib, 1992:150). In doing this, she rejects all three of Habermas' abstractions as the defining features of the moral point of view.

---

[3] Habermas has adopted the terminology of the concrete and generalized other in his writings, as should be obvious from how he explains the intersubjectively constituted self. Still, in his reflections it plays a different role than in Benhabib's.

Firstly, the requisite motives are reinstated as part of genuinely moral experiences. The part played by this abstraction in the first place was to remove the influence of ungeneralizable interests from moral judgement. In Benhabib's explication of the moral point of view, this abstraction should still apply in questions about justice, that is, relations between 'generalized others,' where

> [w]e assume that the other has concrete needs, desires and affects, but what constitutes his or her moral dignity is not what differentiates us from each other, but rather what we, as speaking and acting rational agents, have in common. (Benhabib, 1992:159)

In relations between 'concrete others,' this is flipped upside-down and we, according to Benhabib, "abstract from what constitutes commonality, and focus on individuality" (Benhabib, 1992:159). This turning around of the parts of morality also applies to how we are to view the intersubjectively constituted self. Whereas before, individuality, the 'identity' of some specific person, had to be presupposed in order for us to speak of a postconventionally autonomous subject, here the autonomy of the subject is presupposed as a condition for the specific identity of this individual, but at the same time the moral analysis turns away from what is universally valid for all individuals, and focuses on the speficity, the quiddity, so to speak, of individual relationships. Since these relationships must be analyzed from the motives and value orientations between the individuals in the specific relationships, an abstraction 'away from the requisite motives' would lose its soundness if viewed from this perspective. It is the motives of the interacting individuals themselves that create this moral sphere. This has some implications for how the interchangeability of perspectives should be interpreted.

On Habermas' account, interchangeability of perspectives is constitutive of the moral point of view to the extent that the interests that are discussed are generalizable. One must, in moral discourse, have a hypothetical attitude toward one's own desires, and disregard those that cannot be shared. The interchangeability thus becomes so only in a minimalist sense. In cases of conflict, the participants must be able to realize the fact that their desires and interests might be radically otherwise, but they do not have to understand why or what the other participants have as their view of the good if this is not relevant to their normatively arranging their interactions in a consensual way. This reading, which Habermas sometimes suggests and sometimes dismisses, could be challenged on the ground that such a division between what

one must understand of the other's perspective and what can be disregarded, is arbitrary (Ref?). Presumably, the competencies allowing me to understand what other's want to such a degree that we may come to an agreement regarding how our interactions should be ordered, would also allow me to understand in a deeper way what the perspective of the other looks like. At the same time, there is nothing contradictory in the assumption that I can accept another's way of life without understanding it. Living in a stable, pluralistic society would presuppose that this assumption is correct. Benhabib goes beyond a minimalist interpretation of the interchangeability of perspectives while retaining the idea that we do not have to understand everything that we accept. Everyone should keep the right to remain strangers, but Benhabib claims that once two people have stopped being strangers, another moral dimension opens itself to them.

What is required in this new dimension Benhabib calls an "enlarged mentality" a concept she has lifted from Hannah Arendt and has modified from a political to a moral concept. When employing an 'enlarged mentality' in accordance with Benhabib's definition, the participants in interaction should not disregard their ungeneralizable and unshared differences, but should try to discover the nature of this difference. Benhabib is careful not to conflate the idea of an enlarged mentality with that of empathy, and it is envisioned as being present intersubjectively in the conversational mode of 'narrativity' (Benhabib, 1992:122–123, 133, 137). The Arendtian, wholly political, concept of an 'enlarged mentality,' refer both to the intersubjective nature of thought, the plurality of thinking subjects and the judgement required to bring forth themes in such a way that they warrant potential agreement (Arendt, 1977:222–223). The 'two-in-one' model of thinking introduced in the previous chapter should be understood as requiring such an 'enlarged mentality' to work properly. Benhabib's interpretation of an 'enlarged mentality' is the ability to identify morally relevant situations, the ability to understand how others might interpret our actions and the "interpretation of one's maxims in light of the narrative history of the self and others" (Benhabib, 1992:136–137). Narrativity is important to Benhabib since it is the way in which people present their life histories. An action, she claims, must be viewed in the light of the narrative life history of the relevant participants. At the same time, narrative is, according to Benhabib, what makes actions meaningful both to those affected and makes it possible for them to be viewed in retrospect by everyone. Moral discourse then, on Benhabib's account, clearly does not always require the *abstraction from* the requisite motive of those affected but sometimes the

immersion in the web of interpretations, needs and dispositions of the participants in discourse.

Secondly, Benhabib does not find the strict separation between the justification and the application of norms plausible. This follows from the way in which relations between concrete others are intimately tied to the motives of those involved. For the transfigurative aspects of moral discourses to be effective, Benhabib claims that one cannot abstract completely from how norms should be applied when they are justified. Casting this problem as the difference between justification and contextualization of norms, Benhabib asks about the Kohlbergian developmental psychology that Habermas builds his discourse ethics on, "if the hypothetical resolution of moral dilemmas in test situations does not translate into a corresponding ability to *judge* correctly in real life situations, then exactly what is this kind of theory a theory of?" (Benhabib, 1986:322). This question is apposite. The consequence Benhabib derives from reflecting on this question is that moral competency must also contain the power of judgement.

Although she does not go so far as to conflate justification and application as analytically distinct procedures, she does claim that morality cannot be understood as justifying norms and then subsuming particular cases under it. The further aspect of being able to identity which situation is morally relevant as a case of potential conflict, must also be a part of moral competence on Benhabib's account. Because of this, moral discourse can be transformative of those involved since they, through interacting in it, both learn about different points of view and sharpen their moral awareness. Understood in this way, morality and notions of the good life becomes interconnected through reasons being understood not only as active in the communicative grounding of norms, but also in such a way that understanding a reason implies understanding the motivation it exerts on someone else, and also being able to make its motivating force one's own, if it stands up to criticism (Benhabib, 1986:322). About the assessment of maxims under this perspective, Benhabib writes:

> *The assessment of the maxim of one's intentions, as they embody moral principles, requires understanding the narrative history of the self who is the actor; this understanding discloses both self-knowledge and knowledge of oneself as viewed by others.* (Benhabib, 1992:129)

By intermeshing the procedures of justification and application Benhabib connects questions of the good life to questions of morality, since the notions participants have about the good

life is transfigured during moral discourse. On Benhabib's account then, the 'utopian undercurrent' inherent in the structure of individuality becomes a highly moral utopianism, that require fulfilment on moral grounds. She writes:

> Perhaps then the motivating power of reason can only be established if not only justice but happiness too is promised? Perhaps, to become embedded in action contexts, communicative ethics has to appeal to this utopian impulse for happiness as well. In this sense, 'communicative ethics does have indeed have a utopian content, but it does not *sketch* out a utopia.' (Benhabib, 1986:324)

This utopianism, I claim, can be read in two ways: On the one hand, the intersubjectivity related to the individual's choice of a good life has the utopian anticipation of recognition 'built' into its structure, on the other hand, it can be read as something that should be achieved. Habermas does seem to indicate that it would be good, and necessary for morality, that the need to be recognized is fulfilled universally, but as far as I can see, this he does not claim on moral grounds. Benhabib, on her side, do interpret this utopianism into her moral theory.

Thirdly, Benhabib seem to make the concrete ethical life of participants in moral discourse relevant to the extent these orientations make rational discourse possible at all. For Benhabib, the idealized communication community is not to be interpreted only as a regulative idea that show how moral discourse can be rational, it must also, with its stress on equality and reciprocity, be realized to a certain extent in the real world if moral discourses are to become possible, and to realize such conditions is a duty in itself (Benhabib, 1992:30–31). This is a strong claim regarding how society should look, one which will be taken up again in the next chapter.

If we return to the maxim suggested by Benhabib as solvable under her perspective, that of the relations between concrete others, "Family members should show support, concern and care for one another", it will be possible to investigate what the moral point of view in Benhabib's version is able to accomplish. Firstly, there's an ambiguity inherent in the maxim itself, stemming from the wording of the prescription: To show support might mean to be supportive, to give an appearance of support or give support in the form of a resource; being concerned and showing concern are likewise different things; and care allows for three interpretations, to 'care about someone,' as in being affected by how they are doing, to 'care for someone,' as in to love them or feel strong affection for them, and, again, to 'care for

someone,' as in take care of them because they cannot take care of themselves. If we overlook the latent ideal of what Benhabib thinks a family should be in this instance, only one or two of each of these interpretations can issue in a maxim, understood as a rule of action, and none of these can do so while retaining the content of the moral experiences – the "norms of friendship, love and care" – that Benhabib wishes them to (Benhabib, 1992:159).

Only where the actions prescribed could be, so to speak, faked, would Benhabib's maxim be applicable as a principle of volition, if we also take her claim that moral maxims should allow for rational settlement seriously. What if I agree and it becomes universally accepted that families should show support, concern and care for one another, but I do not feel concern about or care for my family? Let us also imagine that this case is a non-pathological one, with a happy, loving childhood at life's inception, but somehow these feelings fell away, quite naturally and without trauma, as life progressed. What would my agreement to this duty imply? At most, simply that I should give an appearance of these emotions in relevant cases because I know them to be important to someone else, namely to my family. Alternatively, in the case of care, I might care for them in old age because they cared for me at the start of life, although I do not feel any impulse towards doing so. If this is not how we are to interpret Benhabib's maxim, would I not then be tasked with the impossible duty of changing my emotional make-up?

This example is quite radical, but I do not think it entirely implausible. I would also claim that the ambiguous notions of "love and care" do not adequately describe what the driving force behind these actions would be. Rather, I would be acting on a contextually interpreted duty of decency. Decent behaviour, as opposed to loving attitudes, can be demanded, and the moral point of view as described by Habermas do seem to imply that decency must be shown towards everyone if the equal respect that his moral point of view demands is to be fulfilled.

My objection, I would like to point out, differ from 'the fact of plurality' based objections toward 'goodness' oriented normative theories in the way that I am interested in showing what cannot be demanded on purely formal grounds. To argue against normative theories on the basis that they posit some form of the good that cannot be universally accepted on rational grounds, would not gain any purchase on Benhabib's theory, since she is oriented toward this plurality. In this instance, however, Benhabib makes it rather confusing to determine what moral discourse is about. A further example of what she calls "everyday, interactional morality" will help illustrate what I mean.

The duty that Benhabib often return to is the "duty of generosity." As for example when she criticizes the abstraction from the application of norms in 'substitutionalist' universal theories:

> When we morally disagree, for example, we do not only disagree about the principles involved; very often we disagree because what I see as a lack of generosity on your part you construe as your legitimate right not to do something; we disagree because what you see as jealousy on my part I view as as my desire to have more of your attention. Universalist moral theory neglects such everyday, interactional morality and assumes that the public standpoint of justice, and our quasi-public personalities as right-bearing individuals, are the center of moral theory. (Benhabib, 1992:163)

If we take her word that for it that this is everyday moral problems, and interpret these situations as situations that can be solved by maxims assessed by the criteria of "taking into account the narrative history of the self that is the actor," then we arrive at four equally unacceptable conclusions. Either we accept, as I said above, that maxims do not represent rules of action, but are expressions of evaluations, that they require that one perform impossible tasks, i.e., to change one's emotions at will, that they empty words such as 'generosity' and 'jealousy' of their normal semantic content or that maxims require a value based orientation to some specific good life (which is similar to, but not quite the same as, changing one's emotions at will). What she is saying is that the start of a moral discourse can look something like this: I present claim 'G', you counter with claim 'L', and since these conflict, we must find some solution. Let us formalize it in this way:

G: A is not generous because of not doing X.
L: A has a legitimate right not to do X

A claim making P relevant to C is necessary here. Let it be the duty D:

D: Everyone should do those things that are generous.

Would not the content of these sentences cancel each other out? If A should be generous, then A could presumably only be so when, and only when, A have a legitimate right to abstain from doing the generous thing. In that instance, 'G' and 'L', even given 'D', would not

34

amount to a quarrel – legitimate rights and evaluations of this kind cannot become relevant for each other, unless we posit yet a further claim, which is presupposed by D, namely the right 'R':

R: Everyone can demand generous behaviour.

This would simply not be sound unless we interpret duties to entail no corresponding rights, since to demand generosity would empty that word of its meaning, and also allow for constructions like 'dutiful generosity' to seep into our language. If we make these assumptions, I can give *myself* the duty of generosity, although my generosity may be claimed as a matter of entitlement by no one else, and by inner compunction, I can make myself follow this duty so that everyone else will see me as generous. But this, surely, would take away the discursive character of moral problem solving that Benhabib wishes to maintain, and also make it quite impossible to learn anything by moral discourses, since in this instance it would have to be internal.

Another interpretation, which I believe to follow Benhabib closer, is that duties such as the 'duty of generosity' is not meant as a duty with a corresponding right, but that it is an evaluative term presented with the intention of gaining universal adherence. But if there is no corresponding right, this duty would amount to a wish. This conclusion, as well as the conclusion that one should have a duty to be generous, does seem premature. Benhabib's main aim in introducing the 'concrete other' was to account for the necessity of a person's non-generalizable ego-identity within the confines of moral theory itself. I have argued that this cannot be done adequately in a universalizable way, there being no way to hold onto a consistent notion of a maxim within her framework. Contra this, I would like to add that Benhabib does put the necessity of the properly socialized individual on the agenda, which does appear to be, if not overlooked, then underexplored, in Habermas' discourse ethics. With this said, her solution – to broaden the field of morality to also hold in specific, evaluative situations – do not stand up to criticism.

*

It should be mentioned that Benhabib develops many of her arguments on research that claim that women's moral experiences are not included in universalist moral theories on

the 'generalized other' model. This could imply the view that men and women have different 'moralities.' The actual difficulty in taking the perspective of the other when the other is of another gender has been established, although somewhat hesitantly, by feminist writers (Meehan, 2000:94–95). This seems to imply an unwanted conclusion, namely that gender makes communication about normative questions impossible in some instances. Common experience would suggest both the truth – "Only a woman could understand" – and falsity – interactions between the sexes in problematic situations is far from impossible or even more difficult than between people of the same sex – of this conclusion. If there is, which I doubt, some relevant, *uncommunicable* difference between the genders, a need for 'translation' as the one suggested by Habermas in relation to religious experiences when they are brought to the public, would seem to be in order (Habermas, 2005:122). However, about this I shall not speculate.

Perhaps the problem of mediating between morality and the morally necessary 'irreplaceable' identities of autonomous individuals, could possibly be solved by changing theoretical strategy. Some further clarifications regarding 'difference' in linguistic interaction, in something like a 'semiotics of difference,' might be needed to properly evaluate in what sense normatively oriented interactions between concrete others are supposed to be meaningful. In Habermas' 'basic analytic unit,' the uttering of a speech-act and the following yes/no position taken by the interlocutor, 'difference' is interpreted as the breakdown of communication, i.e., when my opposite number says something I reject, communication breaks down and must be reestablished by discourse wherein we come to an agreement regarding the definition – which includes the validity – of a statement (Habermas, 1981:8). Questions of the good life do not lend themselves to decisive treatment of this kind, there being no criteria for choosing one ethical life over another that would apply to everyone. A more fine-grained analysis of the way symbols are used in discourses about the good life would perhaps uncover some revelatory characteristics endemic to this class of symbol systems. As far as I am aware, no semiotic analysis like that exists, but it seems intuitively true that what Benhabib calls 'unity-in-difference,' and the cognate, normatively laden discussions between 'different' people about the good life, with the most competent speakers being marked by an 'enlarged mentality,' do amount to something more than aesthetic discussion yet less than moral discourse, at least in a universalist, deontological sense of the word morality. A more stringent analysis of the symbol systems used in these discourses could be able to formulate this intuition along lines which does not make characterizations of

the good life entirely aesthetical, that is, amoral or non-normative, but still does not push discussions about generosity, solidarity, love and care into the strictly symmetrical realm of rights and duties, where they do not belong.

Concluding remarks on the discussion of Morality

In this chapter I have shown how Habermas and Benhabib solves the problem of postconventional, rational morality. While Habermas has a concept of the moral point of view that allows for the description of the rational justification of maxims, the relationship between ego-identity and moral consciousness is somewhat vague, giving rise to objections that these strict divisions might be considered to formalistic and somewhat arbitrary. That being said, in most cases this distinction serves the useful function of disallowing impossible demands, while at the same time making it possible to conclusively justify questions of justice. The gain in determinateness comes at the cost of decoupling questions of the good life and morality, so that the morally acting subject can no longer turn to moral theory if he wants to regain the meaning lost on the way from a conventional to a postconventional moral consciousness.

Benhabib, contrary to this, tries to reappropriate the meaning lost via the resources of moral theory. Her anticipatory-utopianism sets the development of a enlarged mentality as the way in which one can gain both a rational morality of justice and a rational morality of meaningful personal relationships. However, this gain achieved with the cost of redefining morality so that maxims can no longer be construed as rules of action. Still, Benhabib plausibly argue that visions of the good life and relations between concrete others are *sui generis* and should be studied further. In this context I have suggested that something like a 'semiotics of difference' would be an appropriate way to uncover exactly what is meant by 'individuality' as defined by differences between people, and by that route it would be possible to set out what kind of 'knowledge,' if that word can apply, the person with an enlarged mentality would actually posess. As I have interpreted this enlarged mentality as a kind of emotional, interpersonal lucidity, a reconstruction along the lines of Habermas' critical theory should be possible also with regard to questions on the good life, in further detail than he has conducted.

The focus on the transformative aspects of discourses about the good in Benhabib's theory is a slippery slope. The utopian undercurrent necessarily lying in the structure of individuality does become somewhat intractable when loaded normatively in the way

Benhabib suggests. When we add that this normative loading also disconnects morality from the will, since one, on Benhabib's account, may have a duty to change oneself in ways that are beyond acting on account of a justified norm of action. It seems a reasonable reading of Benhabib that she wants the sphere of duties to include not only the choice of actions, but of feelings as well. I showed that this muddies the waters in such a way that one must have a severely counterintuitive attitude towards what a maxim, a right, a duty and a virtue is, and that Benhabib's position can only be upheld on the pain of making universalism either entirely evaluative or inconsistent. In the next chapter I will show how these confusions result in some paradoxical claims in the 'politics of recognition.'

Chapter 4

Conclusions drawn from different construals of the moral point of view

In this chapter, I will take a closer look at the political suggestions by Habermas and Benhabib, while drawing on the resources from the previous chapters. To show that the disagreements I have discussed cannot be reduced to a 'quarrel over words,' I will give some examples of how these different theoretical outlooks do lead to practical differences in what the theoreticians defend publicly. This I am going to do in relation to 'the politics of recognition,' which has been defended by, among others, Benhabib, Charles Taylor and Nancy Fraser. In light of my discussion of the intersubjective constitution of the self and the moral point of view, I would like to investigate some of the claims from the politics of recognition that build on, or can be explicated in light of, Benhabib's normative framework. However, before doing that, I will show that Habermas largely has avoided answering the questions that are being posed and tentatively answered in the politics of recognition.

Some Affinities and Shared Difficulties between Habermas' Discourse Ethics and his Political Thinking

Although Habermas has defended his moral theory as the basis for a set of democratic procedures, the way in which he explains some of the elements needed to be justified remains rather vague. While, in the political sphere, Habermas is open for the need to publicly discuss and settle questions of the good life rationally, the production of the "solidarity" needed to create a unified society is glossed over with reference to the fact that what is required for justice is a "lifeworld that meet it half-way" or requires subjects that have developed their "in such a form of life" that "retains a dogmatic core: the idea of autonomy according to which human beings act as free subjects only insofar as they obey just those laws they give themselves intersubjectively" (Habermas, 1996:445). In the postconventional world, according to Habermas, we are faced with a "disintegrating social solidarity that require a nurturing approach" through "clever institutionalization" (Habermas, 1996:444–445). His

communicative paradigm is supposed to be able to set up the conditions under which such 'disintegrating solidarity' can be saved. In this project the 'idealizations' from discourse ethics can be made consistently active through institutionalization, thereby closing the gap between what is and what should be in political reality. However, Habermas does not spend much time on the 'dogmatic core' of autonomy that must be presupposed if his democratic vision of discursively legitimized law is to be achieved. Taking as my point of departure that Habermas claims that the crises of modern politics result from the same loss of meaning that was earlier presented as an experience of the postconventional individual, I will claim that Habermas fails to give a clear account of how the solidarity of society is to be achieved, along the same lines as his formalistic discourse ethics has avoided questions of the good life to a large degree.

The strange interdependency and asymmetry in the treatment of self-determination and self-realization does leak into Habermas' political thinking. In discourse ethics this manifested itself as the stipulation that while the individual identity of a person, with his thoughts about what the good life is and what ego-ideal he wishes to follow, had to be thriving for the person to view himself as also autonomous, the actual content of this identity was abstracted away from the justification of norms. This abstraction 'away from the requisite motives' was criticized by Benhabib as an unsound narrowing of the moral field. Granted that I criticized her for interpreting discourse ethics so that it no longer could be viewed as a procedure for the justification of norms, the individual identity of the person is still underexplored by Habermas: This identity is needed for moral discussion, but what does one do when it does not materialize? How is the orientation towards being motivated by good reasons being brought about?

From the moral perspective, this is not such a large issue if we take Habermas' view that moral reasoning should only create valid "judgements" (Ref?). Motivation can in that instance be overlooked. A political theory, on the other hand, must be clearly connected with power. On William E. Scheuerman's interpretation of *Between Facts and Norms* – Habermas' main political work –, Habermas never resolves how the communicative achieved validity in the democratic polity is supposed to become "translated" into administrative power (Scheuerman, 1999:284). The confusion, he claims, stems from Habermas' unclarified use of the concept of "parliamentary bodies":

At some junctures, Habermas seems to point to parliament as the main site for law making; at others, he accepts the 'realist' view that parliamentary sovereignty is little more than a mouldy liberal myth. Sometimes parliament is envisioned as an extension of a deliberative civil society; at other times, parliament's deliberative capacities are demoted, in order to accentuate its pragmatic qualities and to distinguish it from the 'anarchical' processes of deliberation and exchange found within civil society. Habermas tends to emphasize the virtues of a deliberative civil society; at the same time, he is willing to admit that civil society inevitably has little real impact on state action during the course of 'normal' democratic politics. Habermas hopes to show that communicative power can be 'transcribed' into administrative power. But he does not seem altogether sure *exactly* how weak publics, strong publics, and administrative bodies should interact to bring about this translation. (Scheuermann, 1999:284–285)

Scheuerman interprets this as being caused by the fact that Habermas both claims that the "deliberative democratic ideals" should be "institutionalized within the very *core* of the state bureaucracy" and because he lacks a specific plan for a "*institutional* solution to the problem of transforming communicative power into administrative power" (Scheuerman, 1999:287).

This objection does seem to share a structural similarity with Benhabib's objection that Habermas does not emphasize the utopian-transfigurative elements of discourse ethics to a sufficient degree. Both in his political and his moral thinking Habermas could be accused of not taking sufficient account of the coming-to-be of the rational arrangements he proposes, and the connection between actions and motivation. However, this fault is not necessarily a theoretical one. Mainly, this objection concerns what the role of philosophy should be.

Habermas has several times voiced the belief that philosophy has no transformative function, and should not have one. This he explains by the limited transformative force of arguments. In an answer to Charles Taylor's good-life oriented morality, Habermas says:

> We learn what moral, and in particular immoral, action involves *prior* to all philosophizing; it impresses itself upon us no less insistently in feelings of sympathy with the violated integrity of others than in the experiences of violation or fear of violation of our own integrity. The inarticulate, socially integrating experiences of considerateness, solidarity, and fairness shape our intuitions and provide us with better instruction than arguments ever could. (Habermas, 1993:76)

This aloofness with regards to particulars seeps into his political theory as well. There is something both reasonable and unsatisfying about this: if the point of philosophy about the procedural production of good actions, legitimate law and proper society does not add to any of these, then what does it do? A simple answer is that it prohibits other, pernicious theories that cannot be justified on getting a grip on these domains. As Habermas says himself, "whereas the moral principle, as a rule of argument, serves exclusively in the formation of *judgements*, the principle of democracy structures not only knowledge but, at the same time, the institutional *practice* of citizens" (Habermas, 1996:460). Still, this lack is rather more noticeable in a political theory of how to create the procedure that could produce a justly ordered society. Other theoreticians have proposed to connect motivation and morality, political legitimacy and solidarity, in a way that does not only mutually presuppose one another but produce each other as well. One of the forms this takes is called the 'politics of recognition.'

Paradoxes in the Politics of Recognition

Benhabib has developed, together with other philosophers and academics, a 'politics of recognition' based on her normative framework. The program of the 'politics of recognition' as it has been developed by Benhabib, Fraser and Taylor, makes the concept of 'recognition' do heavy work. It is possible to interpret 'claims for recognition' from the perspective of 'the politics of recognition' in four ways: claims to recognition understood as status and legal recognition, claims to the requisite recognition during socialization, claims to be recognized as an equal in the community and claims for reparation on the basis of previous misrecognition. What I will argue is that the first two of these are legitimate, and that the third and fourth can only be viewed as political *claims* if they are interpreted in a specific sense that is not consonant with the aims of the 'politics of recognition' itself.

The 'politics of recognition' can be summarized as an attempt by some philosophers to formulate the needs and demands of marginal groups that have previously suffered under the economic, cultural and legal hegemony of a mainly western, male-run world order. Specifically, they base their position on the assumption that there are two kinds of social injustice, distributive and "cultural or symbolic", and orient themselves around the second. This kind of injustice is described by Fraser as being

rooted in social patterns of representation, interpretation, and communication. Examples include cultural domination (being subjected to patterns of interpretation and communication that are associated with another culture and are alien and/or hostile to one's own); nonrecognition (being rendered invisible via the authoritative representational, communicative, and interpretative practices of one's culture); and disrespect (being routinely maligned or disparaged in stereotypic public cultural representations and/or in everyday life interactions). (Fraser, 1995:71)

The affinity between this and the sphere of the moral as described by Benhabib is quite clear: the focus is on attitudes over actions, based around narrative or in this case, "interpretational practices," and the specific identities of individuals are privileged over the anonymous relations between strangers. As in the previous discussion about Benhabib's morality, this last claim is only partly true. The focus in the 'politics of recognition' on symbolic injustice is related to economic injustice in much the same way as the 'concrete other' was to the 'generalized other' in the explication of the moral domain according to Benhabib, that is to say, the removal of symbolic injustices are construed as dependent on distributive injustices being alleviated first, but as with the moral concepts of the 'concrete' and the 'generalized other,' there is presumed to be a interrelation and mutual presupposition of the one through the other, in a similar way to how self-determination was seen to presuppose self-realization – and vice versa – in the second chapter of this thesis. Fraser explains what might remedy these injustices:

> The remedy for cultural injustice, in contrast, is some sort of cultural or symbolic change. This could involve upwardly revaluing disrespected identities and the cultural products of maligned groups. It could also involve recognizing and positively valorizing cultural diversity. More radically still, it could involve the wholesale transformation of societal patterns of representation, interpretation and communication in ways that would change *everybody's* sense of self. (Fraser, 1995:73)

The assumption that undergirds the possibility of these remedies is the notion of 'interpellation,' which is a similar notion of that of the intersubjective constitution of the self discussed in chapter 2. Succinctly stated, 'interpellation' is used largely to describe a derogatory form of how interlocutors intersubjectively form their identities in relation to each other. "That is," says one writer, "by calling you 'stupid' or a 'kike,' I constitute you as such"

(Fultner, 1998:105, cf. Fraser, 1985:66). The assumption works the other way as well: By interpellating 'correctly,' a society would "redress the injustice [of harmful misrecognition]" by "cultural recognition" (Fraser, 1995:76). This sentiment is shared by both Taylor and Benhabib. I will now give an explication of the 'politics of recognition,' show that it is a paradoxical position and then review the nature of this paradoxicality in light of my discussion of Benhabib's explication of the moral point of view.

In the realm of politics, the problems met concerning the viability of norming the internal life of persons in the moral sphere becomes glaring issues. Although it does appear quite meaningful in normal, interpersonal relations to criticize someone for their lack of generosity, niceness or for having other character flaws, this becomes very problematic as political demands. In the interpersonal case, if you accuse me of not being generous, that accusation is meaningful to the extent that I want to be generous. It also has some obvious practical implications: we choose who to associate with on the basis of whether or not we like them, their social virtues being what decides in their favour or not. I did show that such evaluations cannot rise to the level of duties, since it becomes rather strange to demand generosity from someone, and it is inconsistent to formulate duties that cannot be followed as rules of action. Still, in the conditional sense of being "clinical advice", these evaluations do have practical import for the actors themselves. There is nothing inconsistent in saying that "If you do not become less mean/more generous/nicer, I will stop being your friend/lover/associate of any type". It just should never be extended to: "You have to become nice, since you have a duty to remain my friend", which is at odds with the idea of reciprocal relationships and the symmetry between rights and duties. The 'concrete other' relations must remain conditional in this way to be meaningful. In the political formulation of the 'politics of recognition' these limitations are extended from the restrictions that exist on what can be demanded to the extra limitation of whom it can be meaningfully demanded of.

My claim is that for a political demand to be meaningful, it must both be formulated as a maxim or principle, and have a specific addressee *that can react to it*. Charles Taylor has shown how the former can go wrong in this connection, while Benhabib has shown that the latter must be considered. Somehow, the implication of getting them both right has not been made by either. To take the former assumption that a political demand must either be made as a concrete demand in the form of a maxim or in the demand that some principle be adopted and conformed to, this is how Taylor has to say about why "A favorable judgment on demand is nonsense":

Then [when it is made out of deference to previous misrecognition] the question is no more one of respect, but of taking sides, of solidarity. But this is hardly a satisfactory solution, because in taking sides they miss the driving force of this kind of politics, which is precisely the search for recognition and respect.

Moreover, even if one could demand it of them, the last thing one wants at this stage from Eurocentered intellectuals is positive judgments of the worth of cultures that they have not intensively studied. For real judgments of worth suppose a fused horizon of standards, as we have seen; they suppose that we have been transformed by the study of the other, so that we are not simply judging by our original familiar standards. (Taylor, 1997:70)

The thought that Taylor is expressing here is the intuition that value judgements have to be genuine, i.e., based on 'seeing' the value of something, while a demand can, by its very nature, be accepted or rejected on the basis that it demands *something* – an action, a series of actions or a resource. He is also contending that value judgements should not be made in instances where one does not understand the thing that is being judged, in this case the values and practices of cultures to which one does not belong or the standards of which one does not understand (understanding is the crucial point here, but belonging might be relevant in some instances). Still, Taylor does hold fast that misrecognition can be held to be morally wrong, although keeping his distance from saying that this equals that one can demand equal recognition from others. Rather, he says: "Perhaps we don't need to ask whether it's something that others can demand from us as a right. We might simply ask whether this is the way we ought to approach others" (Taylor, 1997:72). After having declared, not only that "[e]qual recognition is not just the appropriate mode for a healthy democratic society", but also followed it up with:

Its refusal can inflict damage on those who are denied it, according to a widespread modern view … The projection of an inferior or demeaning image on another can actually distort and oppress, to the extent that the image is internalized. Not only contemporary feminism but also race relations and dis cussions of multiculturalism are undergirded by the premise that the withholding of recognition can be a form of oppression. (Taylor, 1997:72)

The conclusion that nothing can be demanded in respect to recognition seem somewhat frail, even if Taylor is clearly a spokesman for a change toward a more 'recognizing' culture. That

being said, in what sense recognition can be demanded is difficult to pin down. In this connection, Benhabib agrees with Fraser that the consequences of misrecognition should be attended to through "upwardly revaluing disrespected identities" (Benhabib, 2002:70).

What Benhabib envisions as a correct measure against misrecognition is the reason she does not abstract entirely away from ethical life in the moral realm. What she wants is a transformation of ethical life, in the direction of a society that finds the 'unity-in-otherness' that occur between 'concrete others.' Only under these conditions, it is assumed, can everyone's sense of self be changed. Here the utopian undercurrent that was interpreted in the form of a moral 'ought' to take account of the 'concrete other' reappears as a political 'ought' referring to what civil society should look like.

When developing her version of the politics of recognition, Benhabib objects that Taylor has not distinguished clearly between group identities and individual identities, and thereby misses the difference between misrecognition as a thing done by group to other groups, and between individual persons. She writes:

> It is both theoretically wrong and politically dangerous to conflate the individual's search for the expression of his/her unique identity with the politics of identity/difference. The theoretical mistake comes from the homology drawn between individual and collective claims, a homology facilitated by the ambiguities of the term *recognition*. Politically such a move is dangerous because it subordinates moral autonomy to movements of collective identity; I would argue that the right of the modern self to authentic self-expression derives from the moral right of the modern self to the autonomous pursuit of the good life, and not vice versa. (Benhabib, 2002:53)

Set together with Taylor's position we get two distinctions: between what can be meaningfully demanded and what cannot, and between on what grounds one should demand it and on which one should not. Taylor's position is criticized by Benhabib because it conflates group and individual claims, while Benhabib could be criticized by Taylor for not taking account the proper nature of these claims. Based on this, I am able to set up the 'politics of recognition' as deriving from these statements:

1. Everyone has a right to be recognized in his/her authentic self-expression.
2. Misrecognition can cause severe damage to a person's ability to function as a dignified being.

3. Recognition must obtain for justice to obtain.
4. Claims to recognition is claims about how things ought to be, without a corresponding right to demand that it be so.

Clearly, 1 and 4 conflict, 2 is an empirical claim that will be taken as confirmed in this context, and 3 is reliant on 1 being correct. The conflict between 1 and 4 can be dissolved if they are interpreted along different lines. If one interprets 1 as referring to institutional arrangements, while 4 refers to uninstitutional society, none of the above statements would conflict. But then the notion of recognition would be somewhat inappropriate. If the statement that "Everyone has a right to be recognized in his/her authentic self-expression" is to be interpreted institutionally, this would amount to the negative claim that no one is to be hindered in their authentic self-expression, with the claim applying self-reflexively, so that no one may hinder anyone else in his/her authentic self-expression with his/her authentic self-expression. The idea that everyone is entitled to being recognized in his/her self-expression would then lose quite a lot of its intuitive meaning.

Similarly, if one interprets these demands along Taylor's lines – as they are represented here – the political 'ought' of being recognized without a corresponding right to make a demand, seems counterintuitive. This ought would then refer to a good society that cannot be defended rationally, but must be seen to be the best by those who would belong to it, so that they would willfully adhere to a 'recognizing' community. In an effort to avoid the negative definition and the no-demands definition, Fraser has spoken of the 'politics of recognition' as trying to accomplish 'reciprocal recognition' and 'status equality,' in what she calls her 'status model' of recognition:

> To view recognition as a matter of status is to examine institutionalized patterns of cultural value for their effects on the relative standing of social actors. If and when such patterns constitute actors as *peers*, capable of participating on par with one another in social life, then we can speak of *reciprocal recognition* and *status equality*. When, in contrast, institutionalized patterns of cultural value constitute some actors as inferior, excluded, wholly other or simply invisible, hence as less than full partners in social interaction, then we should speak of *misrecognition* and *status subordination*. (Fraser, 2001:24)

This does seem to resolve the issue, and is on the surface consonant with both Benhabib's and Taylor's claim. The demands that are put forth, are put forth by individuals to institutions, and

the content of these are that the institutions systematically misrecognize the equal status all individuals have a right to under democratic rule. So, the objection that one cannot be made to change one's value judgements on demand and that one cannot make group identity equal individual identity, is preempted. Neither the value judgements that someone has made, nor the conflation of groups and individuals is at play in this interpretation. To conclude in this way, however, entails losing sight of the 'symbolic' injustice Fraser also wants to remove. There thus appears a gap between the things that the 'politics of recognition' wants to achieve, as understood in terms of the ills begotten by misrecognition, and the methods employed for doing so, although Fraser identifies why it is important to keep to the institutional level when discussing claims for recognition:

> When misrecognition is identified with internal distortions in the structure of self-consciousness of the oppressed, it is but a short step to blaming the victim, as imputing psychic damage to those subject to racism, for example, seems to add insult to injury. Conversely, when misrecognition is equated with prejudice in the minds of the oppressors, overcoming it seems to to require policing their beliefs, an approach that is illiberal and authoritarian. For the status model, in contrast, misrecognition is a matter of externally manifest and publicly verifiable impediments to some people's standing as full members of society. And such arrangements are morally indefensible *whether or not they distort the subjectivity of the oppressed.* (Fraser, 2001:27)

A second reason for Fraser's phrasing is to avoid "the view that everyone has an equal right to social esteem. That view is patently untenable, of course, because it renders meaningless the notion of esteem" (Fraser, 2001:28). If we take both what Fraser says here and that she says that some "cultural and symbolic change" is needed to remedy injustice, and combine it with the entitlement to authentic self-expression proposed by Benhabib and the view that value judgements cannot be demanded – which both Fraser and Taylor endorses – we run into paradox.

This can be shown by taking the four claims I presented at the start of this section and review them under the four statements I proposed as defining the 'politics of recognition.' The four claims I presented as being put forth in the 'politics of recognition,' were: claims to recognition understood as status and legal recognition, claims to the requisite recognition during socialization, claims to be recognized as an equal in the community and claims for

reparation on the basis of previous misrecognition. My claim is that only on some interpretations do these four claims make sense as political demands.

Let us take the first two first. Quite obviously, legal and status recognition must be given to everyone if we are to assume a standard of justification along discourse ethical lines. Anything else would be a manifest break with the reciprocality of rights and duties demanded by the moral point of view, both as understood in the Habermasian sense of impartiality or the Benhabibian sense of the 'generalized other.' The second claim – to the required recognition during socialization – can be construed in a similar vein. Sosialization happens during infancy, childhood, adolescence and early adulthood, at which points the human being is especially vulnerable to social influence. Misrecognition, abuse, marginalization – these can have a severe impact on a person's or group's ability to act on its normatively justified autonomy. Claims for recognition along the lines of status equality and correct socialization, I claim, are unproblematic. They do not need to be formulated after a 'politics of recognition,' if we take seriously what Fraser says above. These claims can be treated equally well under the heading of 'equality before the law.' I will get back to this soon, but it should be sufficient to say now that equality before the law is philosophically justified by the relations that must obtain under conditions of either 'impartiality' or in relations between 'concrete others.' When one demands to be correctly recognized during socialization, this demand can be equated with the demand for a proper upbringing. Every state must ensure, under modern conditions, that its citizens are brought into and introduced to this world in a manner which makes them able to function in a world that is new to them. Arendt has written rather extensively about this, with the conclusion that every child must be given an adequate introduction to the world he is born into (Arendt, 1977:176).

These two demands/claims can be easily categorized under statements 1 and 3 from the 'politics of recognition,' if we treat 1 as referring to institutional practice and 3 as referring to the justice of these practices. For the demand to status equality and correct socialization to be fulfilled what is needed is that a state recognizes the equal status of everyone and that it requires that everyone is given the right to a proper up-bringing under its rule. These, it might be said, are not problematic on normative grounds, nor on practical ones. One has to take care of the children one brings into this world, as well as one has to treat the ones one meets in this world with the presumption that they are covered by the same laws, institutions and guarantees as oneself. I will not linger on these demands, since they, may be

treated under the principles that there should be equality before the law and that a society has a duty to properly educate its young.

The two other demands are more difficult to evaluate. In what way should the claim to be recognized be interpreted? And how should previous misrecognition be compensated? In these instances, Fraser two statements – that an "upward revaluing of disrespected identities" is needed to offset the perniciousness of symbol systems that misrecognize harmfully, and that recognition can only be demanded to remove "publicly verifiable impediments… whether or not they distort the subjectivity of those oppressed – come into conflict. I would like to add in this context and as an extension to Benhabib's observation that one must clearly distinguish between group claims and individual claims that one must distinguish between claims made to institutions, groups and individuals. Fraser and Benhabib does argue in context that the normative basis for claiming recognition is the right to be recognized as an autonomous, concrete, irreplaceable person, while in the second context this transforms itself into a legal entity with the corresponding right to equal treatment before the law. If they are to maintain that the right to be recognized in the community should be interpreted in such a way that it remains connected with its normative base, then Taylor's claim that one cannot demand 'upward' reevaluation must be refuted. That will be the case too if the right to reparation based on previous injustice is to be interpreted broader than as referring only to institutional compensation in the form of money, access and special representation (though that certainly is more than nothing).

There are good reasons why these followers of the 'politics of recognition' never explicitly formulates demands that go beyond institutional ones, and those reasons where listed by Fraser above: it would require calling the oppressed psychologically damaged and a thought-police style regime for the oppressors. The claims, that is, would require institutionalizing in the state apparatus claims made by groups to groups, or individuals to individuals, where the perceivance of being incorrectly 'recognized' gets the force of law. Benhabib, Fraser and Taylor does not want this, and wisely avoids directly claiming something along these lines. But how then is the "upward revaluing" of misrecognized groups supposed to make sense as political demands? Why should one speak about 'recognition' at all, seeing as it is based on an undemandable wish to change society, if all that is at stake is equality before the law?

To answer the last question first, the experience of the degrading effects misrecognition can have is the reason why these theoreticians speak of not only unequal

treatment but also use the language of 'recognition.' In this context, Axel Honneth has spoken of three patterns of recognition that must be followed in the life of the individual is not to be marred: "These three patterns of recognition: love, legal order and solidarity, appear to provide the formal conditions for interaction, within which human beings can be sure of their 'dignity' and integrity" (Honneth, 2001:50). The second reason is the experience that the structure of society negatively affects some groups, it 'interpellates' them as less valuable, dumber, non-autonomous subjects. The need for recognition, the 'utopian undercurrent' in the structure of the subject itself, thereby becomes systematically opposed by the structure of society. Clearly, something more is required than mere equality before the law if these are the experiences of injustice that the 'politics of recognition' is trying to address.

This makes the actual demands, the focus on institutional ordering and status equality, seem like a paradoxical response to these experiences. Whatever the adequate handling of these issues would be, the confusion seems, in this instance as before, to revolve around the same confusion as the one I discussed earlier with regard to Benhabib's moral theory. The evaluations that is at play here suggests that something more than aesthetic evaluation yet something less than moral maxims is being discussed. Until that confusion is resolved, there will exist a paradoxical gap between the problems seen and the remedies offered, between what is said and what is done, in the 'politics of recognition.'

These considerations, similarly to the argument advanced in the last chapter on morality, does make Habermas' reticence about questions of solidarity and the creation of a good polity understood in concrete terms appear well founded. His insistence on leaving these questions out of philosophical debate does have the virtue of clarity. Perhaps, as he indicates, some questions should be left alone by philosophy.

Chapter 5

Conclusion

In this thesis I have tried to follow two 'takes' – Habermas' and Benhabib's – on discourse ethics from the assumptions about the structure of subjectivity that underlie it, through the normative interpretation of this structure to the characteristics of the political thinking of these theoreticians. My main goal has been to show both the connection between the 'ontology' that underlie the normative thinking of Habermas and Benhabib, while also showing how the weaknesses and strengths of their thinking can be traced back to different normative interpretations of the structure of individuality as such. Through this, I have hoped to show that while Habermas leaves something to be desired regarding his explication of the necessary, presupposed personal identities of subjects, his moral theory has the advantage of clearly and distinctly making it possible to say what it means to justify a maxim, while retaining the meaning of a maxim as a rule of action. I showed how this was possible by explaining the abstractions involved in taking a moral point of view wherefrom maxims can be judged impartially.

These abstractions were disputed by Benhabib on the grounds that they remove too much from moral consideration that she finds morally relevant. By shifting the emphasis in discourse ethics onto the irreplaceable identity of persons as they are expressed in relations between 'concrete others.' Her goal was to reveal the norms and moral consciousness that are at play in the 'utopian undercurrent' inherent in the structure of postconventional individuality. I have shown that this change of emphasis requires Benhabib to interpret maxims in a very counterintuitive way, so that they could either be said to issue in idealized wishes of how things should be or in rules of action that could not retain their semantic meaning, neither of which could be reconciled with the intention of creating a universal, deontological morality. Benhabib's broadening of the moral sphere was in this regard shown to be unable to both hold onto her intentions of creating a universal morality while introducing a stronger connection between questions of morality and questions of the good life/ethical life. The way in which she tries to connect duty with the requisite motives for action, was shown to be built on a false assumption of what a maxim is.

After having discussed the moral point of view, I moved onto how the different emphases in Habermas' and Benhabib's theories show themselves in their political thinking as well. Here I treated Habermas under the perspective that the distinction between motives and justified actions was again present in his political theory as the distinction between administrative power and communicative power, which he neglects to treat in an adequate way. This, however, could be defended on the ground of what the role of normative philosophy should be, namely to clarify what it means to justify norms, laws and actions, not to create them. Still, the methodological choice of not treating motives and power when they must be presupposed in the theory presented, do appear as something of a lack.

I then took up the 'politics of recognition', which is the political expression of Benhabib's moral utopianism. Here I showed that there is a paradox inherent in the position of the 'politics of recognition,' which makes its spokespersons defend demands that will not correct the troubles they see, on grounds that cannot be made into demands. Although the defenders of the 'politics of recognition' themselves saw the problems, they do not appear to have drawn the conclusions that these problems entail. The confusion that led Benhabib to assess maxims that cannot be made into rules of action, was here seen to create a new set of confusions on a different level.

In this thesis, I have tried to explicate how maxims can be justified according to the discourse ethical framework. I have done so on the assumption that this position should be treated as an interconnected whole, from its basic propositions about the structure of individuality to the politics it entails. One of my main goals was to show how presumably slight divergences in theoretical approaches show themselves throughout theoretical frameworks. I have also wished to treat what I consider a strange intermingling of the ideas of justified rules of action that result in rights and duties, and the different set of evaluations of goodness that cannot result in rights and cannot be demanded.

List of References

Arendt, H. (1977) *Between Past and Future: Eight Exercises in Political Thought*. Penguin Books, New York.

———. (1966) *The Origins of Totalitarianism*. Harcourt, Brace & World, Inc., New York.

Benhabib, S. (2002) *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton University Press, Princeton.

———. (1992) *Situating the Self*, Polity Press, Cambridge.

———. (1986) *Critique, Norm, and Utopia: A Study of The Foundations of Critical Theory*, Columbia University Press, New York.

Fraser, N. (2001) "Recognition without Ethics?" in *Theory, Culture & Society*, Vol. 18, SAGE, London, pp. 21–42.

———. (1995) "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age." in *New Left Review* 212 (July-August), pp. 68–93.

———. (1985) "What's Critical About Critical Theory? The Case of Habermas and Gender" in (2002) *Jürgen Habermas: Volume 3* ed., Rasmussen, D. & Swindal, J., SAGE Publications Ltd, London, pp. 55–84.

Fultner, B. (1998) "The Politics of Vulnerability: On the Role of Idealization in Butler and Habermas" in (2002) *Jürgen Habermas: Volume 3* ed., Rasmussen, D. & Swindal, J., SAGE Publications Ltd, London, pp. 104–116.

Habermas, J. (1990) "Communicate action and moral consciousness" in *"Communicative Action and Moral Consiousness*.

———. (1993) *Justification and Application: Remarks on Discourse Ethics*, Cronin, C. (transl.), The MIT Press, Cambridge, Massachusetts.

———. (1984) *The Theory of Communicative Action, Volume 1: Reason and The Rationalization of Society*, McCarthy, T. (transl.), Beacon Press, Boston.

———. (1996) *Between Facts and Norms: Contributions to a Discourse Theory of Law and Morality*, Rehg, W. (transl.), Polity Press, Cambridge.

———. (2008) *Between Naturalism and Religion: Philosophical Essays*, Cronin, C. (transl.), Polity Press: Cambridge.

Honneth, A. (2001) "Recognition or Redistribution? Changing Perspectives on the Moral Order of Society" in Theory, Culture & Society 2001 (SAGE, London, Thousand Oaks and New Delhi), Vol. 18(2–3) pp. 43–55

Meehan, J. (2000) "Feminism and Habermas' Discourse Ethics" in (2002) *Jürgen Habermas: Volume 3* ed. Rasmussen, D. & Swindal, J., SAGE Publications Ltd, London, pp. 91–104.

Pedersen, J. (2006) *Rasjonell rekonstruksjon som metodisk innstilling: En undersøkelse av Jürgen Habermas' metode* [Thesis] Bergen: University of Bergen.

Scheuerman, W. E. (1999) "Between Radicalism and Resignation: Democratic Theory in Habermas's *Between Facts and Norms*" in (2002) *Jürgen Habermas: Volume 2*, ed. Rasmussen, D. & Swindal, J., SAGE Publications Ltd, London, pp. 271–292.

Taylor, C. (1997) "The Politics of Recognition" in *New contexts of Canadian criticism*, Downloaded, 31/5/2018 from: https://s3.amazonaws.com/academia.edu.documents/37119880/Taylor_Politics_of_Re cognition.pdf?AWSAccessKeyId=AKIAIWOWYYGZ2Y53UL3A&Expires=1528738

532&Signature=l9y5lVV%2FPku5SiULrbkV681o3Cg%3D&response-content-disposition=inline%3B%20filename%3DThe_Politics_of_Recognition.pdf