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## ***Idealism and Pragmatism: “Transcendent” Validity Claims in Habermas’s Democratic Theory***

Richard Van Barriger

### **Introduction**

In her recent article “Realism and Idealism: Was Habermas's Communicative Turn a Move in the Wrong Direction?” Maeve Cooke examines the evolution of Jürgen Habermas’s thought over the past five decades. According to Cooke, Habermas’s so-called ‘communicative turn’ was a necessary step in his philosophy’s systematic attempt to derive a universal norm from the immanent context of human practices and institutions. In her opinion, however, Habermas’s theory is unable to achieve such “transcendence from within” (Cooke, 2012, p. 820) due to the inherent problem of justification in his theory’s treatment of normative validity claims. Cooke (2012) believes that despite Habermas’s exhaustive efforts to provide a communication-based model for an ideal theory of law, any political theory that discredits the possibility of metaphysical truth inevitably relinquishes the “context-transcending moment” (p. 819) that his idea of validity is meant to capture.

I examine how Habermas derives the normative ideals of validity in democratic will-formation from the Theory of Communicative Action, and compare this with the approach proposed by Cooke. In conclusion, I characterize their respective methods as mutually exclusive in terms of their assessment of the epistemic condition of modernity.

## **Immanence and Transcendence in Critical Theory: Habermas and the “New” Realists**

Cooke is largely sympathetic towards Habermas’s overall approach to critical theory, and shares his aspirations for a ‘deliberative democracy’ that emphasizes reason-based communication between citizens. In fact, most of her piece is devoted to defending Habermas’s position against more recent critical theorists such as Axel Honneth and Albenaz Azmanova, whom she refers to as the “new realists” (Cooke, 2012, p. 811). Their contention with Habermas revolves around the notion that his theory places insufficient emphasis on “empirical subjects in the real world” (Cooke, 2012, p. 812). In their view, a viable critical theory can instead be formed through a method of “normative reconstruction” (Cooke, 2012, p. 815) based on political judgments that recognize the inherent subjectivity encountered in a complex pluralistic society.

As Cooke points out, however, these theorists’ attempt to provide a historically-contextualized account of social freedom and ethical life without resorting to so-called ‘ideal theory’ is anything but new. Rather, “(the) concern to avoid abstract normative theorizing and to investigate the actual experiences of historically situated agents is as old as the Frankfurt School tradition of critical theory itself” (Cooke, 2012, p. 813). Interestingly, Habermas himself began his career by employing a similar method of “normative reconstruction,” (p. 815) and, as Cooke (2012) notes, his reasons for abandoning it in favor of “rational reconstruction” (p. 815) continue to haunt the efforts of the new realists. Cooke traces three distinct phases of thought in Habermas’s writing that comprise (respectively) three distinct efforts at a normative justification for democracy: 1) a Marxist-Hegelian approach that attempts to situate democratic norms within the material conditions encountered in the world, 2) an epistemological approach that seeks to grant epistemic privilege to the concept of human benefit, and finally 3) the language-based theory of communicative rationality that Habermas has defended since the late 1970’s. Cooke

(2012) believes that the new realists are “too simple” (p. 812) in their critique of Habermas, and fail to realize the extent to which their own theories lack a rational basis for normative claims. Here she believes Habermas is correct in confronting this problem and that “he is right to look to human communicative practices in order to find an answer” (Cooke, 2012, p. 816-817).

### **Communication and Ideals: The Limits of Rational Reconstruction**

Cooke’s own disagreement with Habermas, on the other hand, engages his theory at the epistemological level of justification. She maintains that while his theory contains many valuable elements for political critique, it also falls short of its universalistic goal. As Cooke (2012) puts it “Habermas has confronted but not yet solved the problem of how to defend his theory’s context-transcending claims to validity” (p. 818).

Cooke’s (2012) claim is that communicative reason ultimately fails to invoke universal ideals or guidelines, and should instead find its place within an intersubjective, pragmatically-comparative approach that includes “the interplay of reason and affect:”

...[T]he ultimate reference points for normative theorizing (transcendent objects such as truth and justice) are radically context transcending and as such inaccessible in their entirety to human beings; thus I posit an insurmountable gap between truth, justice and other transcendent reference points and the knowledge of them that is available by way of communicative reasoning. (p. 819)

Here the question arises: why, in Cooke’s view, are these reference points inaccessible? What are the implications of this claim for Habermas’s theory? To address this, I will briefly outline the Theory of Communicative Action in order to examine Habermas’s

formulation of normative validity. In conclusion, I will return to Cooke's argument against such a conception of validity and examine the implications of her own epistemic position.

### **Communicative Action: The Search for Validity**

Habermas has always been interested in examining: 1) the structural evolution of sociopolitical and economic systems in the twentieth century and 2) how the conceptions of knowledge and truth have undergone paradigmatic changes in the philosophy of science. Habermas seeks to place the justification for his democratic model in "postmetaphysical" terms that can accommodate what he sees as a coevolution of law and morality in political society, and so eschews both theological and ideological claims pertaining to human nature and well-being. His project consists of a comprehensive analysis of the social functions of language, drawing from other theorists such as George Herbert Mead and J.L. Austin who explored the rational nature of language and attempted to define its modes and structures in communication. Habermas's (1987) goal in this seems to be his concern with a "formal-pragmatic description" that can be expressed in terms of "a modern understanding of the world" (p. 62). His contribution to political theory, then, is a model designed to avoid ideological claims while still retaining the ability to critique and diagnose the problems of modernity. For the purposes of the present discussion, we are concerned with how Habermas's (1993b) theory develops the vitally-important concept of *context-transcending validity claims*, that can appeal to universal norms "from within the perspective of an existence situated *in the world*" [emphasis original] (p. 107).

Habermas (1987) begins with examining the nature of communicative speech acts and their functional role in social activity. Here his goal is to establish a "communication concept of rationality" (p. 5) that can avoid the limitations imposed upon the validity of intuition or introspection in the twentieth century by logical

positivism on one side and behaviorism on the other (Habermas, 1987, p. 3). Rather than become embroiled in this subject-object debate, Habermas (1987) borrows from Mead's theory of communication that analyzes linguistic acts in exclusively social terms. The latter's concept of *communicative action* provides Habermas (1987) with a functional, "nonreductionist concept of language" that can avoid scientific modernity's assault upon the so-called "inner phase" (p. 4) of individual experience.

Mead identifies three phases in the evolutionary development of language that will play heavily in Habermas's own analysis of language:

1. *Gesture mediated* actions, illustrated by animal behavior, naturally form an ontological starting point from which to study communication and language. Here the key concept of meaning is found to be embedded in the "functional circuit" of behavior—that is, a gesture and response relation between organisms' results in a "field of meaning" (Habermas, 1987, p. 8) for its participants. This relation, according to Habermas (1987), forms "the objective basis of the meaning that the gesture of one participant assumes *for the other*" [emphasis original] (p. 8-9).

2. *Symbolically-oriented*, or *signal-language*, refers to the intermediate stage of language development. According to Habermas, this phase includes three vital transformations:

a. The replacement of gestures with symbols that carry the same meaning for both participants.

b. The emergence of communicative intent from the causal cycle of "stimulus-response-stimulus" (Habermas, 1987, p. 9).

c. A shift in the "structure of interaction" (Habermas, 1987, p. 10) wherein participants encounter the necessary distinction between "acts of reaching understanding and acts oriented to success" (p. 9) (This will underwrite Habermas's own typification

of action-oriented speech as dependent upon mutual understanding, as will be shown below).

3. ***Propositionally differentiated*** speech acts, according to Mead, represent the final stage of linguistic evolution. Habermas (1987), however, believes that the theory becomes mired in the categorically-problematic concept of “taking the attitude of the other” (p. 12), and disagrees with Mead’s highly-complex formulation of how this particular transition occurs. His own proposal is to utilize two concepts already contained in Mead’s theory as a functional differentiation in language use: *action* and *understanding*:

This problem can be dealt with if we distinguish, more clearly than did Mead himself, between language as a medium for *reaching understanding* and language as a medium for *coordinating action and socializing individuals* [emphasis mine]. (Habermas, 1987, p. 23)

Habermas’s goal here is to establish this two-track ontology as the basis from which to analyze the nature of propositional language. Where Mead tried to continue from the ‘bottom up’ in terms of his causal-historical account of language, Habermas is convinced that the former’s genetic analysis of meaning between actors provides the conceptual tools to tackle propositional language from the ‘top down,’ so to speak. His theory of language borrows from Austin, who distinguishes two components inherent in speech acts: *propositional* and *illocutionary* (Habermas, 1987, p. 67).

### **Illocutionary Speech: The Emergence of Normative Validity**

An illocutionary speech act is some statement that is action-oriented, in the words of J.C. Farnum (2001) “established as a promise, command, avowal, etc.” (p. 33). This form of speech, according to Habermas, is what carries the crucial concepts of

*meaning* and *communicative intent* developed in Mead's theory. Other forms of language such as describing the state of affairs in the world (i.e. locutionary) or attempting to influence others (i.e. perlocutionary) depend upon the twofold presuppositions of mutual understanding and action-orientation.<sup>1</sup> Thus illocutionary speech acts are presupposed by other modes of speech, and so possess an inherent precedence in communication. As Habermas (1996) puts it: "Communicative action, then depends upon the use of language oriented to mutual understanding" (p. 18).

Here we arrive at the heart of the matter pertaining to Habermas's conception of validity: a universalizing ideal in language that rests on two inherent possibilities in communicative action: consensus and rationality. Habermas (1993a) will define these as mutually-interdependent features of any speech act directed towards action in the world:

We are intuitively aware that we cannot rationally *convince* anyone, not even ourselves, of something if we do not accept as our common point of departure that all voices that are at all relevant should be heard, that the best arguments available given the current state of our knowledge should be expressed, and that only the unforced force of the better argument should determine the "yes" and "no" responses of the participants. (p. 107)

In other words, validity is that which conforms to the universal norms that are presupposed by the act of entering into communication. What Habermas hopes to accomplish with this definition is a dissolution of the tension between his concept of

<sup>1</sup> As Farnum (2001) puts it, "processes of communication rely on an ideal understanding of language-use that reveals the ever-present possibility of



linguistic universality and the context of a historical-material world that it supposed to transcend. A communication-based concept of validity is meant to provide the tools to address both levels of this dilemma, and consequently provide a normative ideal for political critique:

Validity claims are Janus-faced: as universal, they outstrip every given context; at the same time, they must be raised and gain acceptance here and now if they are to sustain an agreement capable of coordinating action. (Habermas, 1993b, p. 108)

### **Knowledge, Validity, and Metaphysics: The Epistemology of Communicative Reason**

In Habermas's framework, although validity-claims are analogous to truth-claims, only validity-claims retain the power of contextual transcendence and can appeal to the (idealized) universal norms of discourse. While there is much more to say about the distinction between truth and validity, I hope to have provided a minimally sufficient sense of the latter concept to enable a further examination of Cooke's critique. What does she mean when she says that truth and justice are "transcendent reference points" (Cooke, 2012, p. 819) beyond the reach of communicative reasoning, and does she provide an alternative basis for such vital concepts?

Habermas's primary mistake, in Cooke's (2012) view, has been an "overreliance on rational reconstruction and excessive confidence in the firmness of the footing on which formal pragmatics places critical theory" (p. 816). The basis for this claim seems to arise not only from concerns over justification, but also from Cooke's own

coordinating action via an uncoerced, intersubjective mode of social agreement." (p. 35).

viewpoint of human nature as it pertains to communication.<sup>2</sup> As she sees it, reason-based argumentation forms but a part of individual “shifts in perception” (Cooke, 2006, p. 111) from which political and moral convictions are formed, and “the force of the better argument” (Cooke, 2006, p. 105) only partially captures the elusive concept of validity (Cooke, 2006, p. 111).

There seems to be an inescapable dilemma contained within the parameters of this discussion when it comes to the role of religion in the public sphere. In the case of Cooke, the implications of her critique could not be more stark: metaphysically grounded truth-claims, such as those based in religious belief, cannot in principle be excluded from the public process of argumentation. Whereas Habermas’s secular concept of reason necessitates this exclusion, Cooke believes that this is both a necessary and unwanted feature of his theory’s attempt at postmetaphysical justification. Cooke has admitted that her position places her at odds with much of the last two centuries of epistemology,<sup>3</sup> but is convinced that postmetaphysical thinking can never justify the concept of immanent transcendence (Habermas’s communicative reason notwithstanding). Here one must at least credit Cooke (2012) for her forthrightness: “I make the normativity of truth and justice partly dependent on a realm of value that is not the result of human behavior” (p. 819).

Cooke concludes her article with two ‘speculative theses’ that conform with neither Habermas nor the new realists. The first is the aforementioned “insurmountable gap” (Cooke, 2012, p. 819) between any transcendent reference point and the knowledge gained through

<sup>2</sup> Elsewhere, Cooke has leveled several internal critiques of Habermas’s justificatory framework that invite further examination, but I cannot address them here.

<sup>3</sup> See the Q&A section to Cooke’s presentation of her forthcoming paper Cooke, M. (2011, October). *Violating neutrality? Religious validity claims and democratic legitimacy*. Presentation at the Center for Global Ethics and Politics at the Ralph Bunche Institute, CUNY Graduate Center, New York, NY.

communicative reason. The second is that communicative reasoning retains some usefulness to critical theory in that it can “narrow” (Cooke, 2012, p. 819) the gap between immanent facts and transcendent norms. Given that Cooke rejects postmetaphysical justification as a method, it is not surprising that she flatly characterizes her views as speculative and context-specific. As she sees it, any bottom-up, postmetaphysical theory is inherently incomplete when formulated and justified solely as such, and “the onus is on those who dispense with metaphysics to maintain this context-transcending moment without it” (Cooke, 2012, p. 819).

### **Conclusion**

In this essay I have sought to summarize the problem of postmetaphysical justification as conceived by Habermas and Cooke, and examine their disagreement over whether Habermas’s concept of validity succeeds as a strategy for solving the paradox of “immanent transcendence” (Cooke, 2012, p. 814). While there is much more to be said for each theorist’s views on truth and justification, their respective differences of approach seem fundamentally incompatible, if not mutually exclusive.

In terms of practice, Cooke’s critique seems both appealing and troubling. Her pragmatic concern over the interplay of religious and nonreligious reasoning in public dialogue is (as Cooke notes) shared by Habermas, as shown by his own recent work. However, the source of their disagreement, as we have seen, rests in their treatment of justification in the face of modernity: universality, on Cooke’s account, is unjustifiable for any postmetaphysical theory, communicative or otherwise. In this it seems that Cooke struggles not only against Habermas’s model, but also the epistemic condition of modernity itself. With an eye towards praxis, this poses a potentially fatal problem for any normative political theory.

For this reason, Habermas remains unwilling to place his theory in such a speculative position. He sees modernity as an irreversible

condition, and so would rather utilize than resist its conceptual tools. That is, where Cooke sees an “insurmountable gap” (2012, p. 819) between communicative reason and transcendent ideals, Habermas (1993b) instead sees communicative reason as the sole opportunity for a new concept of transcendence:

The historicism of paradigms and world-pictures, now rife, is a second-level empiricism which undermines the serious task of confronting a subject who takes up a positive or negative stance towards validity-claims... But now it is argumentative reason itself which reveals, in the deeper layers of its own pragmatic presuppositions, the conditions for laying claim to an unconditional meaning. It thereby holds open the dimension of validity-claims which transcend social space and historical time... Without this, normality would close herself hermetically against any experience of a solidarity and justice that is *lacking*. (p. 134)

Whether or not Habermas’s approach is effective as a normative political theory, and to what degree, will be a subject of debate for years to come. While I see Cooke’s defense of metaphysically-justified validity claims as unrealizable in practice, her relatively novel line of critique does serve to illustrate the limited number of epistemic options available for modern political theory in general.

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