
The foundation of morals in Apel's discourse ethics

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“Eine universale d.h. intersubjektiv gültige Ethik solidarischer Verantwortung scheint zugleich notwendig und unmöglich zu sein”¹

Introduction and research question

Ethics can be regarded practical in three ways: it can serve as Aufklärung (in the Hegelian sense), it can have a normative function, and a communicative function². This communicative approach to ethics perceives its function not as teaching the good, but as making possible communication about it. Embedded in institutions, everyday communication of the individual takes place under shared normative principles, which are implicitly present. When this mutual understanding is disturbed, the implicit principles will become the explicit issues. This commits the individuals to discuss the critique on the institutional framework (discursus), and its legitimation. According to Habermas, in such a situation of norm crisis ethics is necessary. It is a demand of non-violent conflict resolution, which arises from the social practice itself.

In the present-day ethos there is a large consensus about the recognition of personal dignity. Nevertheless, modern man does not seem to be capable to provide this ethos of an objective foundation or rational justification. Therefore, this can be regarded as a legitimization crisis. This short paper aims to give a general overview of the way in which discourse ethics, as originally stated by Karl-Otto Apel, can provide this foundation to moral knowledge. Several insights of Jürgen Habermas concerning discourse ethics will be mentioned in addition to Apel. These will be followed by a brief description of Richard Rorty's critique on Habermas' discourse ethics.

Apel's discourse ethics

Apel's starting point for grounding morality is the community of language and discourse, in which a human being is embedded. Apel has reflected on the transcendental conditions of this language community, and distinguished four universal validity claims: meaning, truthfulness, truth and normative correctness (cf. Habermas).

This specific transcendental condition of normative correctness forms the basis of morality³. Anyone who argues and speaks, seeks – in principle – validation of the community of persons. This can only be achieved, when the views and positions of others are considered. To clarify this, Apel's comments on the ethical tradition will be discussed first.

Apel's comments on previous moral theories

The present day society is confronted with globalization and the reduction of morality to personal opinions and feelings. This increases the need to found a morality that exceeds the boundaries of a specific group.

According to Apel, past moral theories have failed to provide a satisfactory foundation of morality. With Aristotle, the good was too much related to an individual or a particular community, and not to universal morality. Kant's categorical imperative is not universal enough after all, which can be made clear by pointing out the conventions of Kant's society and age. Contract and convention theories have also failed; they could not explain why these contracts and conventions should be followed.

The fundamental defect of past moral theories is their nomological nature: they are the result of an individual, separate thinker, who has reflected on reality. What these theories ignored is that this reflection could only have taken place within the context of language and discourse, a linguistic community. All thoughts and reflections can be regarded as a result of dialogue and argumentation. Apel developed a universalistic moral theory which incorporates this the community of discourse.

The transcendental-pragmatic foundation of discourse ethics

Apel's discourse ethics departs from the linguistic community, which determines our thoughts, reasonings, argumentation, and purposeful actions. In reference to the four universal validity claims of Habermas, Apel identifies four transcendental conditions of possibility of this community. Any member of a community of communication necessarily presumes these rules regarding meaning, truth and justification as preconditions.

First, anyone who speaks or discusses must necessarily presume the norms for meaningful discourse, speaking in such a way that he makes sense. Second, this person needs to make a truth claim. Third, this person needs to be truthful, which means saying what he sees as true. And fourth, it has to be normative correct: it must be worthy of consensus among all reasonable discussion participants.

Although all communication is grounded in a particular language, the claims of universal validity are not culturally bound. They can be seen as necessary implications for argumentation in a language community: they are its transcendental conditions of possibility. In the act of speaking meaningfully, the speaker binds himself to respect the reasonable views of the community of discourse. A person who speaks meaningfully, is potentially accountable to the whole community of humankind.

Discourse ethics hereby, remains purely formal and procedural. The moral norm proposes no claims about how to act good. It requires a dialogue with the individuals involved, to find out what decision would be in respect of their justified interests. These interests of the individuals of the community are the norm of morality. Apel states: "The ethical fundamental norm, which each arguer – and that means every serious thinking person – has necessarily recognized, thus consists in accepting the meta-norm of argumentative formation of consensus about situational related norms." The norms we adopt for an action, may not violate justified interests of all individuals to be affected by the action.

Discourse ethics is formalistic and deontological

In short, when speaking, one implicitly raises several validity claims. These claims point to an ideal situation, in which nothing but the quality of the argument prevails. Norms and actions are only morally legitimate if they can be justified in a moral-practical discourse. Discourse ethics does not presuppose substantive moral content, and is therefore, formalistic. Any norm must be in accordance with its procedures to be morally acceptable. Discourse ethics is a deontological moral theory in two ways. First, it assumes the priority of the right over the good. There is a plurality of conceptions of the good life, and presupposing a specific conception of the good would violate this liberal commitment. Second, valid norms are morally binding, because of their connection with the process of social interaction and communication out of which one can not easily step.

A certain degree of ethical life is present, and is kept by for example, systems of laws and institutional guarantees. As has been shown, there is an ideal limitless community, presumed as a necessary transcendental presupposition of the continuing community of discourse. There is a tension between this ideal and the real community of discourse, and there has to be a constant effort to move closer toward the ideal.⁴

Richard Rorty's comments on Habermas' discourse ethics

According to Habermas, the linguistic turn "shifted the standard of epistemic objectivity from the private certainty to the public practice of justification within a communicative community"⁵. Hereby the realist intuition is challenged by a contextualist approach. In morality we lack the "ontological connotation of reference to things about which we can state facts"⁶. Habermas wants to disconnect morality from metaphysics. Rorty agrees with Habermas' approach to reason as an internalization of social norms, rather than a build-in component of the human self.

Rorty tries to replace the Enlightenment universalism and rationalism, which Habermas wants to revive, with something else. Habermas sees the process of undistorted communication as

convergent, this convergence is the guarantee of such communication. Rorty's contingency approach to language makes it suspect that this convergence tries to underwrite the universal validity, and therefore the a-historical grounding. According to Rorty, Habermas wants to preserve the traditional story of asymptotic approach to *foci imaginarii*. Rorty's idea is to replace this story with an increasing willingness to live in plurality and to stop asking for universal validity.

Rorty argues we can abandon the opposition between 'reason' and the other (for example, emotions) when we abandon the idea of reason as a unifying power and the source of solidarity. When the idea of solidarity is regarded as a fortunate coincident creation of modern times, the notion of communicative reason can be discarded. Both religious and philosophical a-historical ground or an end-of-history convergence can be replaced by the notion of a historical narrative. Such a narrative can clarify the conditions in which the idea of truth as correspondence to reality might gradually be replaced by the idea of truth as what comes to be believed in the open and free encounters. Habermas nevertheless insists that "the transcendent moment of universal validity bursts every provinciality asunder. The validity laid claim to is distinguished from the social currency of a de facto established practice and yet serves it as the foundation of an existing consensus."⁷

Conclusions

Discourse ethics is a formalistic, deontological moral theory that tries to shape communication by identifying transcendental conditions of discourse. The use of language implies necessarily the acceptance of an ideal form of communication. Discourse ethics sees moral norms as a result of communication processes. When this communication has occurred in respect to specific transcendental conditions of discourse, the moral norm, regardless its content, is legitimate. Rorty criticizes Habermas' discourse ethics mainly because of its universalistic claim; a disagreement which can be called 'merely philosophical'⁸. Its convergence to the ideal situation is not acceptable from Rorty's point of view, due to his contingency approach to language. Because of this contingency, an a-historical grounding of ethical norms is very suspect.

(1529 words)

References

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^{5,6} Rorty, R. (2003), *Truth and Justification reviewed by Richard Rorty*. In: Notre Dame Philosophical Reviews 2003.12.08.

^{7,8} Rorty, R. (1988). *Contingency, Irony and Solidarity*. Cambridge: Cambridge University Press.