

Situating the Self

*Gender, Community and Postmodernism in
Contemporary Ethics*

Seyla Benhabib

For Wolf,
who frequently disagreed

Situating the Self

*Gender, Community and Postmodernism in
Contemporary Ethics*

Seyla Benhabib

Polity Press

Copyright © Seyla Benhabib 1992

The right of Seyla Benhabib to be identified as author of this work has been asserted in accordance with the Copyright, Designs and Patents Act 1988.

First published in 1992 by Polity Press in association with Blackwell Publishers.

Editorial office:
Polity Press
65 Bridge Street
Cambridge CB2 1UR, UK

Marketing and production:
Blackwell Publishers
108 Cowley Road
Oxford OX4 1JF, UK

All rights reserved. Except for the quotation of short passages for the purposes of criticism and review, no part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the publisher.

Except in the United States of America, this book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, resold, hired out, or otherwise circulated without the publisher's prior consent in any form of binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

ISBN 0 7456 0998 8
ISBN 0 7456 1059 5 (pbk)

A CIP catalogue record for this book is available from the British Library.

Typeset in 10 on 12 pt Palatino
by Best-set Typesetter Ltd, Hong Kong.
Printed in Great Britain by T.J. Press (Padstow) Ltd, Padstow, Cornwall.

This book is printed on acid-free paper.

Contents

Acknowledgments	vii
Introduction	
<i>Communicative Ethics and the Claims of Gender, Community and Postmodernism</i>	1
PART I Modernity, Morality and Ethical Life	
1 In the Shadow of Aristotle and Hegel <i>Communicative Ethics and Current Controversies in Practical Philosophy</i>	23
2 Autonomy, Modernity and Community <i>Communitarianism and Critical Social Theory in Dialogue</i>	68
3 Models of Public Space <i>Hannah Arendt, the Liberal Tradition and Jürgen Habermas</i>	89
4 Judgment and the Moral Foundations of Politics in Hannah Arendt's Thought	121
PART II Autonomy, Feminism and Postmodernism	
5 The Generalized and the Concrete Other <i>The Kohlberg–Gilligan Controversy and Moral Theory</i>	148
6 The Debate over Women and Moral Theory Revisited	178
7 Feminism and the Question of Postmodernism	203
8 On Hegel, Women and Irony	242
Index	260

Acknowledgments

Many of these essays were inspired by my close encounter with liberal political theory and its communitarian critics during my stay in the Harvard University Department of Government from 1987 to 1989. This exchange led me to articulate more precisely the premises which contemporary critical theory, and in particular the discourse ethic, shared with liberal moral and political theory, while having in common with communitarianism deep roots in Hegel's critique of Kantian moral philosophy. Discourse ethic is situated somewhere between liberalism and communitarianism, Kantian universalism and Hegelian *Sittlichkeit*. My thanks go to Judith Shklar, Michael Sandel, Stephen Macedo, Shannon Stimson and Nancy Rosenblum for many inspiring, fortuitous conversations on liberalism and its critics. I would also like to thank my feminist friends Nancy Fraser, Iris Young, and in particular Drucilla Cornell for leading me to see the moral and political significance of postmodernism for women. I owe a different sort of gratitude to another group of friends and colleagues: Kenneth Baynes and Maurizio Passerin d'Entrèves, as my former students, have through their own work on contemporary liberalism and communitarianism, both influenced and inspired my own thoughts. It is a pleasure not only to have taught them but also to have learned from them. Finally, conversations over the years with T. A. McCarthy, Richard J. Bernstein, Jean Cohen, Andrew Arato and Alessandro Ferrara have not only been inspirational but have strengthened my sense that the tradition of critical theory is very much alive. Special thanks are due to Fred Dallmayr, who in a careful and judicious review of this collection at an early stage, provided me with incisive recommendations about the whole. The earliest of these essays ("Epistemologies of Postmodernism," partially included in chapter 7) was written in 1984; the rest were completed and published between 1987 and 1990. My thanks go to

the publishers of the books and journals where they have previously appeared, acknowledged after the essays themselves. They have all been revised for inclusion in this volume. I would also like to thank the Department of Philosophy at the State University of New York at Stony Brook, and particularly former Dean of the Humanities Don Ihde, for providing me with a one-semester research assignment which enabled me to put the finishing touches on this book. As always, it has been a pleasure to work with the staff and editors of Polity Press, particularly with Ann Bone, and with Maureen MacGrogan from Routledge.

Introduction

Communicative Ethics and the Claims of Gender, Community and Postmodernism

As the twentieth century draws to a close, there is little question that we are living through more than the chronological end of an epoch. To invoke a distinction familiar to the Greeks, it is not only *kronos* which is holding sway over our lives; but our *kairos* as well, our lived time, time as imbued with symbolic meaning, is caught in the throes of forces of which we only have a dim understanding at the present. The many "postisms," like posthumanism, post-structuralism, postmodernism, post-Fordism, post-Keynesianism, and post-histoire circulating in our intellectual and cultural lives, are at one level only expressions of a deeply shared sense that certain aspects of our social, symbolic and political universe have been profoundly and most likely irretrievably transformed.

During periods of profound transformations such as these, as contemporaries of an epoch, we are more often than not in the position of staring through the glass darkly. We do not have the privilege of hindsight; we are not like the "owl of Minerva" which spreads its wings only at dusk. As engaged intellectuals we cannot write from the vantage point of "the grey which paints itself on green" and we do not even want to. Contrary to this Hegelian prognosis of "standing at the end of history," which has been recently revived by Francis Fukuyama – this late student of Hegel as read through the eyes of Alexandre Kojève¹ – the present harbors many ironies, contradictions and perplexities. Ernst Bloch's phrase of "non-contemporaneous contemporaneities" or *ungleichzeitige Gleichzeitigkeiten* is more appropriate to capture the fractured spirit of our times.²

Among the many ironies nourished by this fractured spirit is certainly the fact that while the cultural and political ideals of modernity, and among them what Richard Rorty has called "the meta-narratives of liberal democracies,"³ have become suspect to the

humanistic and artistic avant-garde of western late-capitalist societies, political developments in Eastern Europe and the Soviet Union have given these ideals a new purchase on life. While the peoples of Eastern Europe and the Soviet Union have taken to the streets and defied state police as well as the potential threat of foreign troops in the name of parliamentary democracy, the rule of law and a market economy, the academic discourse of the last decades, particularly under the label of "postmodernism," has produced an intellectual climate profoundly skeptical toward the moral and political ideals of modernity, the Enlightenment and liberal democracy.

This current mood of skepticism among intellectual, academic and artistic circles toward continuing the "project of modernity" is based upon an understandable disillusionment with a form of life that still perpetrates war, armament, environmental destruction and economic exploitation at the cost of satisfying basic human needs with human dignity, a form of life that still relegates many women, non-Christian and non-white peoples to second-class moral and political status, a form of life that saps the bases of solidaristic coexistence in the name of profit and competition. Whether the form of life of advanced capitalist mass democracies can reform itself from within is a pressing one. It is my conviction, however, that the project of modernity can only be reformed from within the intellectual, moral and political resources made possible and available to us by the development of modernity on a global scale since the sixteenth century. Among the legacies of modernity which today need reconstructing but not wholesale dismantling are moral and political universalism, committed to the now seemingly "old-fashioned" and suspect ideals of universal respect for each person in virtue of their humanity; the moral autonomy of the individual; economic and social justice and equality; democratic participation; the most extensive civil and political liberties compatible with principles of justice; and the formation of solidaristic human associations.

This book attempts a reconstruction of this legacy by addressing the following question: what is living and what is dead in universalist moral and political theories of the present, after their criticism in the hands of communitarians, feminists and postmodernists? More specifically, this book is an attempt to defend the tradition of universalism in the face of this triple-pronged critique by engaging with the claims of feminism, communitarianism and postmodernism and by learning from them.

Communitarian critics of liberalism like Alasdair MacIntyre, Michael Sandel, Charles Taylor and Michael Walzer have questioned the epistemological assumptions as well as the normative vision of liberal political theories. Feminist thinkers like Carol Gilligan, Carole Pateman, Susan Moller Okin, Virginia Held, Iris Young, Nancy

Fraser, and Drucilla Cornell have continued the communitarian critique of liberal visions of the "unencumbered self." They have also pointed out that neither liberals nor communitarians have overcome their gender blindness such as to include women and their activities in their theories of justice and community. Postmodernists, a somewhat vague label by which we have come to designate the works of Michel Foucault, Jacques Derrida and Jean-François Lyotard among others, while sharing the communitarian and feminist skepticism toward the meta-narratives of liberal Enlightenment and modernity have radicalized this critique to the point of questioning the ideal of an autonomous subject of ethics and politics and the normative foundations of democratic politics altogether. Each of these lines of thought has contributed to a forceful rethinking of the Enlightenment tradition in ethics and politics extending from Immanuel Kant to John Rawls and Jürgen Habermas.

I wish to isolate three general themes around which the rethinking of Enlightenment universalism initiated by feminism, communitarianism and postmodernism ought to be continued. Communitarians, feminists and postmodernists have (1) voiced skepticism toward the claims of a "legislating" reason to be able to articulate the necessary conditions of a "moral point of view," an "original position," or an "ideal speech situation;" (2) they have questioned the abstract and disembodied, distorting and nostalgic ideal of the autonomous male ego which the universalist tradition privileges; (3) they have unmasked the inability of such universalist, legislative reason to deal with the indeterminacy and multiplicity of contexts and life-situations with which practical reason is always confronted. I shall argue in this book that there is a powerful kernel of truth in these criticisms, and that contemporary universalist theories must take seriously the claims of community, gender and postmodernism. Nevertheless, neither the pretenses of a legislative reason, nor the fiction of a disembodied autonomous male ego, nor for that matter indifference and insensitivity to contextual reasoning are the *sine qua non* of the universalist tradition in practical philosophy. A post-Enlightenment defense of universalism, without metaphysical props and historical conceits, is still viable. Such universalism would be interactive not legislative, cognizant of gender difference not gender blind, contextually sensitive and not situation indifferent. The goal of the essays collected in this volume is to argue for such a post-Enlightenment project of interactive universalism.

By bringing competing intellectual discourses of the present into dialogue, and by measuring their claims against each other, I intend to soften the boundaries which have often been drawn around universalist theories and feminist positions, communitarian aspira-

tions and postmodernist skepticism. These oppositions and juxtapositions are too simple to grasp the complex criss-crossing of theoretical and political commitments in the present. Not only is a feminist universalism, for example, a discursive possibility rather than a sheer contradiction in terms; no matter how contradictory their political messages may be, in their critique of progress and modernity communitarianism and postmodernism are allies rather than opponents. By focussing on the fragile and shifting nature of such conceptual alliances and confrontations, I hope to illuminate the contradictory potentials of the present moment in our intellectual lives. It is my hope to create cracks and fissures in the edifice of discursive traditions large enough so that a new ray of reason which still reflects the dignity of justice along with the promise of happiness may shine through them.

A central premise of this book is that the crucial insights of the universalist tradition in practical philosophy can be reformulated today without committing oneself to the metaphysical illusions of the Enlightenment. These are the illusions of a self-transparent and self-grounding reason, the illusion of a disembedded and disembodyed subject, and the illusion of having found an Archimedean standpoint, situated beyond historical and cultural contingency. They have long ceased to convince. But since how long one lingers on in their company and basks in their comforting warmth more often than not depends upon the intensity of the original farewell, let me state here my own adieu to these ideals. Enlightenment thinkers from Hobbes and Descartes to Rousseau, Locke and Kant believed that reason is a natural disposition of the human mind, which when governed by proper education can discover certain truths. It was furthermore assumed that the clarity and distinctness of these truths or the vivacity of their impact upon our senses would be sufficient to ensure intersubjective agreement among like-thinking rational minds. Even Kant whose Copernican revolution uncovered the active contribution of the knower to the process of knowing, nevertheless conflated the discovery of those conditions under which the objectivity of experience was possible with those conditions under which the truth or falsehood of propositions concerning experience could be ascertained. By contrast, I proceed from the premise that we must distinguish between the conditions for ascertaining the validity of statements and those characteristics pertaining to the cognitive apparatus of the human subject and which lead it to organize perceptual and experiential reality in a certain fashion.⁴ Such a universal-pragmatic reformulation of transcendental philosophy, as undertaken by Karl-Otto Apel and Jürgen Habermas,⁵ is postmetaphysical in the sense that truth is no

longer regarded as the psychological attribute of human consciousness, or to be the property of a reality distinct from the mind, or even to consist in the process by which "givens" in consciousness are correlated with "givens" in experience. In the discursive justification and validation of truth claims no moment is privileged as a given, evidential structure which cannot be further questioned. It is the discourse of the community of inquirers (Charles Sanders Peirce) which first assigns an evidential or other type of value to aspects of our consciousness or experience, and brings them into play as factors which support our claims to the veracity of our beliefs. In the continuing and potentially unending discourse of the community of inquiry there are no "givens," there are only those aspects of consciousness and reality which at any point in time may enter into our deliberations as evidence and which we find cogent in backing our statements. The first step then in the formulation of a post-metaphysical universalist position is to shift from a substantialistic to a discursive, communicative concept of rationality.

The second step comes with the recognition that the subjects of reason are finite, embodied and fragile creatures, and not disembodied cogitos or abstract unities of transcendental apperception to which may belong one or more bodies. The empiricist tradition, which in contradistinction from Descartes and Kant, let us say, would describe the self as an "I know not what," or as a "bundle of impressions," does not so much ignore the body as it tries to formulate the unity of the self along the model of the continuity of a substance in time. As opposed to the dismissal of the body in the one case, and the reduction of self-identity to the continuity of a substance in the other, I assume that the subject of reason is a human infant whose body can only be kept alive, whose needs can only be satisfied, and whose self can only develop within the human community into which it is born. The human infant becomes a "self," a being capable of speech and action, only by learning to interact in a human community. The self becomes an individual in that it becomes a "social" being capable of language, interaction and cognition. The identity of the self is constituted by a narrative unity, which integrates what "I" can do, have done and will accomplish with what you expect of "me," interpret my acts and intentions to mean, wish for me in the future, etc. The Enlightenment conception of the disembedded cogito no less than the empiricist illusion of a substance-like self cannot do justice to those contingent processes of socialization through which an infant becomes a person, acquires language and reason, develops a sense of justice and autonomy, and becomes capable of projecting a narrative into the world of which she is not only the author but the actor as well. The "narrative structure of actions and personal identity" is the second premise

which allows one to move beyond the metaphysical assumptions of Enlightenment universalism.

If reason is the contingent achievement of linguistically socialized, finite and embodied creatures, then the legislative claims of practical reason must also be understood in interactionist terms. We may mark a shift here from *legislative to interactive rationality*.⁶ This shift radically alters the conceptualization of "the moral point of view." The moral point of view is not an Archimedean center from which the moral philosopher pretends to be able to move the world. The moral point of view articulates rather a certain stage in the development of linguistically socialized human beings when they start to reason about general rules governing their mutual existence from the standpoint of a hypothetical questioning: under what conditions can we say that these general rules of action are valid not simply because it is what you and I have been brought up to believe or because my parents, the synagogue, my neighbors, my tribe say so, but because they are fair, just, impartial, in the mutual interest of all? The moral point of view corresponds to the stage of reasoning reached by individuals for whom a disjunction emerges between the social validity of norms and of normative institutional arrangements on the one hand, and their hypothetical validity from the standpoint of some standard of justice, fairness, impartiality. "Tell me Euthyphro," is the Socratic question, "is something pious because the gods love it, or do the gods love it because it is pious?" In the first case, the morally valid is dictated by the gods of my city, in the second, even the gods of my city recognize the presence of standards of piety and justice which would be valid for all. The moral point of view corresponds to the developmental stage of individuals and collectivities who have moved beyond identifying the "ought" with the "socially valid," and thus beyond a "conventional" understanding of ethical life, to a stance of questioning and hypothetical reasoning. Most high cultures in human history which differentiate between the natural and the social worlds are capable of producing such questioning, and such a disjunction between "the moral ought" (*das moralische Sollen*) and "social validity or acceptability" (*soziale Geltung*).⁷

The elements of a postmetaphysical, interactive universalism are: the universal pragmatic reformulation of the basis of the validity of truth claims in terms of a discourse theory of justification; the vision of an embodied and embedded human self whose identity is constituted narratively, and the reformulation of the moral point of view as the contingent achievement of an interactive form of rationality rather than as the timeless standpoint of a legislative reason. Taken together, these premises form a broad conception of reason, self and society. What is their status in the project of a post-

Perhaps this question can be best approached by contrasting John Rawls's claims for a "political conception of justice" with the broad vision of reason, self and society outlined above. In the wake of objections raised by communitarians like Michael Sandel in particular to the concept of the self and the vision of the good presupposed or at least implied by his theory of justice, John Rawls distinguished between "metaphysical" and "political" conceptions of justice. While the former view would entail fundamental philosophical premises about the nature of the self, one's vision of society and even one's concept of human rationality, the political conception of justice proceeded from assumptions about self, society and reason which were "formulated not in terms of any comprehensive doctrine but in terms of certain fundamental intuitive ideas viewed as latent in the public political culture of a democratic society."⁸ Rawls believes in the legislative task of reason and he limits the scope of philosophical inquiry in accordance with conceptions of what is appropriate for the public culture of liberal democracies. He formulates his philosophical presuppositions in such a fashion as would elicit an "overlapping consensus" and thus be acceptable to the implicit self-understanding of the public actors of a democratic polity. The essays collected in this volume do not restrict the scope of normative inquiry to the actually existing limitations on the public discourses of actually existing democracies. In the final analysis, conceptions of self, reason and society and visions of ethics and politics are inseparable. One should regard such conceptions of self, reason and society not as elements of a "comprehensive" *Weltanschauung* which cannot be further challenged, but as presuppositions which are themselves always also subject to challenge and inquiry. As I will argue below, such assumptions about self, reason and society are the "substantive" presuppositions without which no "proceduralism," including Rawls's own program of an "overlapping consensus," can be cogently formulated. There is a kind of normative philosophical analysis of fundamental presuppositions which serves to place ethical inquiry in the larger context of epistemic and cultural debates in a society. Such analysis of presuppositions should be viewed not as the attempt to put forth a comprehensive moral doctrine acceptable to all, but as the dialectical uncovering of premises and arguments which are implicit not only in contemporary cultural and intellectual debates but in the institutions and social practices of our lives as well. In Hegelian language this would be the study of ethics as a doctrine of "objective spirit." In my language this is a study of ethics in the context of a critical theory of society and culture.⁹

While continuing the broad philosophical shift from legislative to interactive reason initiated by the work of Jürgen Habermas in 1971,

ticular, in this book I depart from his version of a discourse or communicative ethic in crucial ways. I attempt to highlight, emphasize and even radicalize those aspects of a discourse ethic which are universalist without being rationalistic, which seek understanding among humans while considering the consensus of all to be a counterfactual illusion, and which are sensitive to differences of identity, needs and modes of reasoning without obliterating these behind some conception of uniform rational moral autonomy. There are three decisive foci around which I propose to save discourse ethics from the excesses of its own rationalistic Enlightenment legacy. These are the conceptualization of the moral point of view in light of the reversibility of perspectives and the cultivation in Hannah Arendt's terms of "representative thinking;" to "engender" the subject of moral reasoning, not in order to relativize moral claims to fit gender differences but to make them gender sensitive and cognizant of gender difference; to develop a rudimentary phenomenology of moral judgment in order to show how a principled, universalist morality and context-sensitive moral judgment can fit together. My goal is to situate reason and the moral self more decisively in contexts of gender and community, while insisting upon the discursive power of individuals to challenge such situatedness in the name of universalistic principles, future identities and as yet undiscovered communities.

Chapter 1 entitled "In the Shadow of Aristotle and Hegel: Communicative Ethics and Current Controversies in Practical Philosophy" presents the general outlines of my attempt to defend communicative ethics while heeding the criticism of neo-Aristotelians like Hans-Georg Gadamer and Alasdair MacIntyre on the one hand and of neo-Hegelians like Charles Taylor on the other. I begin by seeking an answer to the standard Hegelian objection to formalist ethical universalism that procedures of universalizability are at best inconsistent and at worst empty. Applying this objection to the case of discourse ethics, I maintain that neither inconsistency nor emptiness are unavoidable defects of a conversationally conceived model of moral reasoning. What I propose is a procedural reformulation of the universalizability principle along the model of a moral conversation in which the capacity to reverse perspectives, that is, the willingness to reason from the others' point of view, and the sensitivity to hear their voice is paramount. Following Kant, Hannah Arendt has given this core intuition of universalistic ethical and political theories a brilliant formulation:

The power of judgment rests on a potential agreement with others, and the thinking process which is active in judging something is not, like the thought process of pure reasoning, a dialogue between me

and myself, but finds itself always and primarily, even if I am quite alone in making up my mind, in an anticipated communication with others with whom I know I must finally come to some agreement. And this enlarged way of thinking, which as judgment knows how to transcend its individual limitations, cannot function in strict isolation or solitude; it needs the presence of others "in whose place" it must think, whose perspective it must take into consideration, and without whom it never has the opportunity to operate at all.¹⁰

The nerve of my reformulation of the universalist tradition in ethics is this construction of the "moral point of view" along the model of a moral conversation, exercising the art of "enlarged thinking." The goal of such conversation is not consensus or unanimity (*Einstimmigkeit* or *Konsens*) but the "anticipated communication with others with whom I know I must finally come to some agreement" (*Verständigung*). This distinction between "consensus" and "reaching an agreement" has not always been heeded in objections to communicative ethics. At times Habermas himself has overstated the case by insisting that the purpose of universalizability procedures in ethics must be the uncovering or discovering of some "general interest" to which all could consent.¹¹ I propose to view the concept of "general interest" in ethics and politics more as a regulative ideal and less as the subject matter of a substantive consensus. In ethics, the universalizability procedure, if it is understood as a reversing of perspectives and the willingness to reason from the other's (others') point of view, does not guarantee consent; it demonstrates the will and the readiness to seek understanding with the other and to reach some reasonable agreement in an open-ended moral conversation. Likewise, in politics, it is less significant that "we" discover "the" general interest, but more significant that collective decisions be reached through procedures which are radically open and fair to all. Above all these decisions should not exclude the voice of those whose "interests" may not be formulable in the accepted language of public discourse, but whose very presence in public life may force the boundaries between private needs and public claims, individual misfortunes and collectively representable grievances.

One consequence of reformulating universalizability in terms of the model of reversibility of perspectives and the cultivation of "enlarged thinking" is that the *identity of the moral self* must be reconceptualized as well. More precisely, this reformulation allows us to challenge those presuppositions of "legalistic universalism" from Kant to Rawls which have privileged a certain vision of the moral self. In order to think of universalizability as reversing of perspectives and a seeking to understand the standpoint of the

other(s), they must be viewed not only as generalized but also as concrete others. According to the standpoint of the "generalized other", each individual is a moral person endowed with the same moral rights as ourselves; this moral person is also a reasoning and acting being, capable of a sense of justice, of formulating a vision of the good, and of engaging in activity to pursue the latter. The standpoint of the concrete other, by contrast, enjoins us to view every moral person as a unique individual, with a certain life history, disposition and endowment, as well as needs and limitations. One consequence of limiting procedures of universalizability to the standpoint of the generalized other has been that the other as distinct from the self has disappeared in universalizing moral discourse. As I argue in the essay, "The Generalized and the Concrete Other," there can be no coherent reversibility of perspectives and positions unless the identity of the other as distinct from the self, not merely in the sense of bodily otherness but as a concrete other, is retained.

I envision the relationship of the generalized to the concrete other as along the model of a continuum. In the first place there is the universalistic commitment to the consideration of every human individual as a being worthy of universal moral respect. This norm which I share with the liberal tradition is institutionalized in a democratic polity through the recognition of civil, legal and political rights – all of which reflect the morality of the law or, if you wish, the principles of justice in a well-ordered polity. The standpoint of the concrete other, by contrast, is implicit in those ethical relationships in which we are always already immersed in the lifeworld. To be a family member, a parent, a spouse, a sister or a brother means to know how to reason from the standpoint of the concrete other. One cannot act within these ethical relationships in the way in which standing in this kind of a relationship to someone else demands of us without being able to think from the standpoint of our child, our spouse, our sister or brother, mother or father. To stand in such an ethical relationship means that we as concrete individuals know what is expected of us in virtue of the kind of social bonds which tie us to the other.

If the standpoint of the generalized and the concrete other(s) are thought of as existing along a continuum, extending from universal respect for all as moral persons at one end to the care, solidarity and solicitation demanded of us and shown to us by those to whom we stand in the closest relationship at the other,¹² then the privileging in traditional universalistic theories of the legal domain and the exclusive focus upon relationships of justice must be altered. I argue against Kohlberg and Habermas that relations of justice do not exhaust the moral domain, even if they occupy a privileged position

within it (see pp. 184ff.). Again to introduce a Hegelian locution, ethical life encompasses much more than the relationship of right-bearing generalized others to each other. Even if the Kantian tradition distinguishes between legality and morality, a tendency in Kantian ethics which has persisted till our own days is to model ethical bonds along juridical (*rechtsförmig*) ones. Viewed from the standpoint of the interactive universalism which I seek to develop in this book, the problem appears differently: my question is how ethical life must be thought of – life in the family no less than life in the modern constitutional state – from the standpoint of a post-conventional and universalist morality. Sometimes Hegel argued as if "the moral point of view" and *Sittlichkeit* were incompatible, but the really challenging task suggested by his *Philosophy of Right* is to envisage a universalistic moral point of view as situated within an ethical community. Call this the vision of a *postconventional Sittlichkeit*.

It is this search for a "postconventional *Sittlichkeit*" which distinguishes my vision from that of communitarian thinkers like Michael Sandel and Alasdair MacIntyre in particular. In the chapter on "Autonomy, Modernity and Community: Communitarianism and Critical Social Theory in Dialogue," I argue that there are two strands of communitarian thinking on the question of reconstituting a community under conditions of modernity. The first I describe as the "integrationist" and the second as the "participationist." While the first group of thinkers seek to reconstitute community via recouping and reclaiming an integrative vision of fundamental values and principles, the participationists envisage such a community as emerging from common action, engagement and debate in the civic and public realms of democratic societies. I reject the integrationist vision of community as being incompatible with the values of autonomy, pluralism, reflexivity and tolerance in modern societies.

In the constitution of such a postconventional *Sittlichkeit* via participatory politics in a democratic polity, the faculty of "enlarged thinking" plays a crucial role. This was one of Hannah Arendt's cardinal insights, and ultimately why she considered judgment a political rather than a moral faculty. In "thinking with Arendt against Arendt" in several of the chapters below, I will attempt to make her conception of enlarged thinking useful both for morality and for politics. In the democratic polity, the gap between the demands of justice, as these articulate principles of moral right, and the demands of virtue, as this defines the quality of our relations to others in the lifeworld, can be bridged by cultivating qualities of civic friendship and solidarity. These qualities of civic friendship and solidarity mediate between the standpoints of the "generalized" and the "concrete others," by teaching us to reason, to understand and

to appreciate the standpoint of "collective concrete others." Such understanding, however, is a product of political activity. It cannot be performed either by the political theorist or by the moral agent in vacuo. For, as Arendt well knew, the multiplicity of perspectives which constitute the political can only be revealed to those who are willing to engage in the foray of public contestation. The perspectival quality of the public world can only manifest itself to those who "join together in action in concert." Public space is formed through such action in concert. In a postconventional *Sittlichkeit*, the public sphere is the crucial domain of interaction which mediates between the macropolitical institutions of a democratic polity and the private sphere.

The public sphere is a common theme in several chapters of this book. I set up a contrast between the liberal, the Arendtian and the Habermasian models of the public sphere. As representative of the liberal position, Bruce Ackerman's model of a public conversation under the constraints of neutrality is chosen. My argument is that the constraint of neutrality illicitly limits the agenda of public conversation and excludes particularly those groups like women and blacks who have not been traditional partners in the liberal dialogue. I maintain that democratic politics redefines and reconstitutes the line between the right and the good, justice and the good life. Although this agonal and contestatory dimension of politics is at the heart of Hannah Arendt's work, what makes her concept of public space so deficient from the standpoint of complex, modern societies is a constraint similar to that introduced by Ackerman with his concept of "liberal neutrality." Arendt also seeks to limit the scope and the agenda of the public sphere via essentialist assumptions about the "natural place" of human activities and the "political" or "non-political" nature of certain topoi of debate. By contrast, I plead for a radically proceduralist model of the public sphere, neither the scope nor the agenda of which can be limited a priori, and whose lines can be redrawn by the participants in the conversation. Habermas's concept of a public sphere embodying the principles of a discourse ethics is my model here.

One of the chief contributions of feminist thought to political theory in the western tradition is to have questioned the line dividing the public and the private. Feminists have argued that the "privacy" of the private sphere, which has always included the relations of the male head of household to his spouse and children, has been an opaque glass rendering women and their traditional spheres of activity invisible and inaudible. Women, and the activities to which they have been historically confined, like child-rearing, housekeeping, satisfying the emotional and sexual needs of the male, tending to the sick and the elderly, have been placed

until very recently beyond the pale of justice. The norms of freedom, equality and reciprocity have stopped at the household door. Two centuries after the American and the French revolutions, the entry of women into the public sphere is far from complete, the gender division of labor in the family is still not the object of moral and political reflection, and women and their concerns are still invisible in contemporary theories of justice and community. It is not my purpose to lament the invisibility of gender in contemporary thought, but rather to ask the question: what consequences does this invisibility have for the theories under consideration? A theory of universalist morality or of the public sphere cannot simply "ignore" women and be subsequently "corrected" by their reinsertion into the picture from which they were missing. Women's absence points to some categorial distortions within these theories; that is to say, because they exclude women these theories are systematically skewed. The exclusion of women and their point of view is not just a political omission and a moral blind spot but constitutes an epistemological deficit as well.

I call attention to the epistemological deficits of contemporary universalism in the following areas. First, I argue that the neglect by universalist theories of the moral emotions and of everyday moral interactions with concrete others has everything to do with the gender division of labor in western societies subsequent to modernity. Justice becomes the core of collective moral life when the extended households of antiquity and the Middle Ages lose their productive functions with the rise of the capitalist exchange economy, and become mere reproductive units whose function is to satisfy the daily bodily and psychosexual needs of their members. Second, every concept of public space presupposes a corresponding delimitation of the private. In the chapter entitled "Models of Public Space: Hannah Arendt, the Liberal Tradition and Jürgen Habermas," I show that these theories of the public sphere are gender blind to the extent that they either draw a rigid and dogmatic boundary between the public and the private (Arendt), or as is the case with Habermas, because they develop binary oppositions which exclude the thematization of issues most important for women from public discussion. The oppositions between "justice" and "the good life," "generalizable interests" versus "private need interpretations," between "public norms" and "private values", have the consequence of leaving the line between the public and the private pretty much where it has always been, namely between the public spheres of the polity and the economy on the one hand and the familial-domestic realm on the other. Engaging in a dialectical battle with Habermas, I try to reconstruct his model of the public sphere in a way which would both accommodate feminist criticisms

and also help feminists in our own thinking about alternative public spheres.

Finally, there is a relationship between the neglect of the problem of moral judgment in universalist moral theories and the neglect of women and their activities. Because women's sphere of activity has traditionally been and still today is so concentrated in the private sphere in which children are raised, human relationships maintained and traditions handed down and continued, the female experience has been more attuned to the "narrative structure of action" and the "standpoint of the concrete other." Since they have had to deal with concrete individuals, with their needs, endowments, wants and abilities, dreams as well as failures, women in their capacities as primary caregivers have had to exercise insight into the claims of the particular. In a sense the art of the particular has been their domain, as has the "web of stories", which in Hannah Arendt's words constitutes the who and the what of our shared world. It is in the context of discussing Hannah Arendt's theory of judgment that I provide the outlines of a phenomenology of moral judgment, which would nonetheless be compatible with a universalist and principled morality.

The claim that the gender blindness of universalist theories is not merely a matter of moral indifference or political inclination but that it points to a deeper epistemic failure has been one of the cornerstones of the postmodernist critique of the grand narratives of the logocentric western tradition. If there is one commitment which unites postmodernists from Foucault to Lyotard it is this critique of western rationality as seen from the perspective of the margins, from the standpoint of what and whom it excludes, suppresses, delegitimizes, renders mad, imbecilic or childish. In his impressive genealogies of reason Foucault uncovers the discursive practices which have drawn the line between madness and civilization, mental health and sickness, criminality and normality, sexual deviance and sexual conformism.¹³ Foucault shows that the other of reason comes to haunt this very reason. The persistence of the other within the text of western metaphysics, the continuing attempts of this metaphysics to erase the presence of the other in the endless game of binary oppositions has been a guiding vision of Jacques Derrida's thought from his early essay on "the ends of man" to his most recent comments on the "force of law."¹⁴ Of course, it would be a mistake to think that the other in Jacques Derrida's thought is merely a nomen for an excluded gender, race, people or geopolitical region of the world. For Derrida, as for Hegel, no identity can be constituted without difference; the other is never merely an other but always also an in- and for-itself. But for Hegel there is a moment of identity which overcomes difference by "appropriating"

it, by pretending that the "other" is something merely posited (*etwas gesetzt*) which the one self-identical subject presupposes (*vorausgesetzt*); for Derrida difference is irreducible and never evaporates into the imperialist game of positing one's presuppositions which Hegel's subjects always play. Difference which is ineliminable is *différance*, the continuing act and process of differing. Although there is no identity, nonetheless there is more than merely a contingent relationship between the logocentrism of the West and the imperialist gesture with which the West "appropriates" its other(s), pretending much like the Hegelian concept that they were its own presuppositions on the way to self-fulfillment. The Orient is there to enable the Occident, Africa is there to enable western civilization to fulfill its mission, the woman is there to help man actualize himself in her womb, etc. . . . The logic of binary oppositions is also a logic of subordination and domination.

In Jean-François Lyotard's work the epistemic exclusion of the other also has moral and political implications although it can by no means be reduced to these. In *The Postmodern Condition* Lyotard contrasted the "grand narratives" of the Enlightenment to the "petit recits" of women, children, fools and primitives. The exclusion of small narrativity, argued Lyotard, was an aspect of the grandiose vision of the modernizing western tradition. *The Postmodern Condition* left ambiguous, however, whether by "narrativity" Lyotard meant a kind of ordinary language philosophy à la Wittgenstein, a hermeneutic tradition of judgment à la Gadamer, or a kind of poetic imagination like the one Richard Rorty defends. Perhaps all three were envisioned. In subsequent works like *Le Différend*, *Just Gaming* and *Heidegger and the Jews*¹⁵ there is a linking of the limits of rationalism to the ethics and politics of the other.

As the chapter on "Feminism and the Question of Postmodernism" clarifies, in their critique of the illusions of logocentrism and in their championing of the standpoint of the "other(s)," postmodernist thinkers have been crucial allies for contemporary feminism. By focussing on the problem of the subject, the question of grand narratives, and the standards of rationality and critique, I construct a dialogue here between weak and strong postmodernist claims and feminist positions/oppositions. Postmodernism is an ally with whom feminism cannot claim identity but only partial and strategic solidarity. Postmodernism, in its infinitely skeptical and subversive attitude toward normative claims, institutional justice and political struggles, is certainly refreshing. Yet, it is also debilitating. The so-called critique of "identity politics," which is now dominating feminist thought, is not only an acknowledgment of the necessity of "rainbow politics," as Iris Young has claimed.¹⁶ The critique of "identity politics" attempts to replace the vision of an autonomous

and engendered subject with that of a fractured, opaque self; the "deed without the doer" becomes the paradigm of subversive activity for selves who joyfully deny their own coherence and relish their opacity and multiplicity. This problematic vision of the self is a radicalization of the Nietzschean critique of modernity in the name of an aesthetics of the everyday. It is Zarathustra who can be lamb and lion, sage and rebel at once. For women the aesthetic transcendence of the everyday is of course a temptation. But precisely because women's stories have so often been written for them by others, precisely because their own sense of self has been so fragile, and their ability to assert control over the conditions of their existence so rare, this vision of the self appears to me to be making a virtue out of necessity. No less important is that social criticism of the kind required for women's struggles is not even possible without positing the legal, moral and political norms of autonomy, choice and self-determination. Aesthetic modernism has always parasitically depended upon the achievements of modernity in the spheres of law and morality – insofar as the right of the moral person to pursue her sense of the good, be it ever so fractured, incoherent and opaque, has first to be anchored in law and morality before it can become an everyday option for playful selves. In this respect, as in many others, postmodernism presupposes a super-liberalism, more pluralistic, more tolerant, more open to the right of difference and otherness than the rather staid and sober versions presented by John Rawls, Ronald Dworkin and Thomas Nagel. As far as I am concerned this is not troublesome. What is baffling though is the lightheartedness with which postmodernists simply assume or even posit those hyper-universalist and superliberal values of diversity, heterogeneity, eccentricity and otherness. In doing so they rely on the very norms of the autonomy of subjects and the rationality of democratic procedures which otherwise they seem to so blithely dismiss. What concept of reason, which vision of autonomy allows us to retain these values and the institutions within which these values flourish and become ways of life? To this question postmodernists have no answer; perhaps because, more often than not, as sons of the French revolution, they have enjoyed the privileges of the modern to the point of growing blasé vis à vis them.

This book ends as it began in a tug with Hegel. "On Hegel, Women and Irony" brings together many strands of argumentation. By examining Hegel's relationship to the movement of the early romantics in the Jena circle, and in particular by looking at the life of one of these early "modernist" women, Caroline Michaelis von Schlegel Schelling, I show that the women's question in Hegel's philosophy is not only a conceptual result necessitated by a series of

binary oppositions which define the logic of gender relations in his philosophy. Nor is the confinement of women to a traditionalist vision of Sittlichkeit in the *Philosophy of Right* merely a consequence of the historical limitations of Hegel's times. Hegel could have argued otherwise, just as some of his contemporaries and most notably the early Friedrich von Schlegel did. Yet he chose not to; he was not necessitated to do so. He chose not to follow the consequences of modernity in ethical life all the way into the sphere of personal, intimate, sexual relations between men and women. He refused to accept the ideals of heterosexual equality and egalitarian reciprocity which his romantic friends for a short while at least advocated. Yet as the person of Caroline von Schlegel Schelling shows, women cannot but have an ambivalent relationship to modernity, which on the one hand promises them so much and which yet on the other constantly subverts its own *promesse du bonheur*. In joining the French revolutionary armies and the shortlived republic of Mainz, Caroline appears to me to have appreciated the dialectic of bourgeois republicanism which initially allowed women as participants into the public sphere, only at a second stage to send them scurrying home. The recovery of a sense of irony in the face of the modernist project and bemusement at its dialectical twists and turns is truer not only to the dilemmas of contemporary feminism but in the face of an epoch approaching its end as well.

Notes

- 1 F. Fukuyama has argued that transformations in the Soviet Union and Eastern Europe show that we have in effect reached "the end of history". F. Fukuyama, "The End of History?" *The National Interest* (Summer 1989), pp. 3–18. Of course, this is not meant in the trivial chronological sense that time will now stand still, but rather in the sense that the economic and political *kairos* of the future (how long is the future?) will not add anything new to the principles of western capitalism and liberal democracy. Just as Hegel saw the post-French revolutionary modern state, based on the principles of the right of persons and property, to represent the conceptual end of the history of freedom, Fukuyama also believes that the second half of the twentieth century has vindicated capitalism and liberal democracy over their enemies, namely fascism and communism. See *ibid.*, pp. 9ff.
- 2 See Ernst Bloch, *Erbschaft dieser Zeit*, first published 1935 (Suhrkamp, Frankfurt, 1973), pp. 110ff.
- 3 See Richard Rorty, "Habermas and Lyotard on Postmodernity," *Praxis International*, 4.1 (April 1984), pp. 34ff. Also see "The Contingency of a Liberal Community," in *Contingency, Irony and Solidarity* (Cambridge University Press, Cambridge, 1989), pp. 44ff.
- 4 Wilfried Sellars's discussion of this point, which is after all a

restatement of Hegel's critique of "Sense Certainty" in the first chapter of *The Phenomenology of Spirit*, has been very influential on my thinking. See Wilfried Sellars, "Empiricism and the Philosophy of Mind," in *Science, Perception and Reality* (Humanities, New York, 1963), pp. 127ff., and Michael Williams, *Groundless Belief: An Essay on the Possibility of Epistemology* (Yale University Press, New Haven, 1977), esp. pp. 25ff. for a more recent statement.

5 See Karl-Otto Apel, "From Kant to Peirce: The Semiotic Transformation of Transcendental Logic," in *Towards a Transformation of Philosophy*, trans. Glyn Adey and David Frisby (Routledge and Kegan Paul, London, 1980), pp. 77-93; see also J. Habermas, "What is Universal Pragmatics?," in *Communication and the Evolution of Society*, trans. Thomas McCarthy (Beacon, Boston, 1979), pp. 1-69, and "Wahrheitstheorien," in *Wirklichkeit und Reflexion*, ed. H. Fahrenbach (Neske, Pfullingen, 1973), and most recently Jürgen Habermas, *Post-metaphysisches Denken* (Suhrkamp, Frankfurt, 1989).

6 In chapter 5 below, "The Generalized and the Concrete Other: The Kohlberg-Gilligan Controversy and Moral Theory," I use the terms "substitutionalist" and "interactive" universalisms to mark this contrast.

7 The kind of developmental universalism defended by Kohlberg and Habermas has at times been subject to the misleading reading that Socrates and Jesus, Buddha or Francis of Assisi as members of cultures and societies which were prior in world history to western Enlightenment and modernity should be considered for that reason to be on a "lower level of moral development" than Voltaire or Nietzsche, Kant or Karl Marx! Obviously, an absurd view which reeks of the self-satisfied evolutionism of the eighteenth and nineteenth centuries. I have argued elsewhere that this is a gross misunderstanding of Habermas's work in particular, see S. Benhabib, *Critique, Norm and Utopia: A Study of the Foundations of Critical Theory* (Columbia University Press, New York, 1986), pp. 253ff. Although the relationship of cognitive universalist moral positions to modernity is a complex one, which I shall address in various chapters below, the developmental interpretation of the moral point of view in no way sanctions the construal of world history and human cultures as if they were stages in the growth of a super-ego writ large. I reject attempts to apply a cognitive developmental scheme with a teleological endpoint to world history and cultures. One can utilize a much weaker scheme of distinctions between pre-conventional, conventional, and post-conventional modalities of cultural traditions, without also having to maintain that these are "natural" sequences of evolution which will invariably take place in a normal course of "development." For in the case of individual development it is the interaction of a finite bodily individual with the social and the physical world which initiates learning in this individual, activates memory and reflection and brings about progressions to "higher," more integrated stages of situation comprehension and problem solving. The "subject" of world history by contrast is an abstraction at best and a fiction at worst. One cannot attribute to this fiction a dynamic source of interaction and learning such as propels individuals. Although I find the categories of "pre, post

- and conventional moralities" descriptively useful in thinking about patterns of normative reasoning in cultures, I attribute no teleological necessity to the progression from one stage to another.
- 8 John Rawls, "The Priority of Right and Ideas of the Good," *Philosophy and Public Affairs*, 17.4 (Fall 1988), pp. 251-76, here p. 252.
- 9 I have dealt with the logic and presuppositions of critical social theory in my book, *Critique, Norm and Utopia*. The current volume continues the exploration of the project of communicative ethics, outlined in chapter 8 of that book.
- 10 Hannah Arendt, "The Crisis in Culture," in *Between Past and Future: Six Exercises in Political Thought* (Meridian, New York, 1961), pp. 220-1.
- 11 See in particular Habermas's continuing reliance on the concept of "general interest," formulated first in the context of his theory of legitimation crisis, and subsequently in the context of his moral theory. J. Habermas, *Legitimation Crisis*, trans. Thomas McCarthy (Beacon, Boston, 1975), pp. 111ff, and "Discourse Ethics: Notes on a Program of Philosophical Justification," in *Moral Consciousness and Communicative Action*, trans. Christian Lehnhardt and Shierry Weber Nicholson (MIT Press, Boston, 1990), pp. 43ff; and my critique in chapter 1 below.
- 12 This, of course, does not mean that only family or kinship groups can define such a space for us. In modern societies most individuals recreate family and kinlike structures for themselves on the basis of ties other than blood lineage; the relationship of friendship, which is a special bonding of two individuals, beyond and sometimes against the demands of kinship, nationality, ethnicity and politics, is one of the most cherished dimensions of ordinary lives under conditions of modernity.
- 13 For an early but extremely illuminating statement of the purpose of "genealogical inquiry," see Michel Foucault, "Nietzsche, Genealogy, History," in *Language, Counter-Memory, Practice: Selected Essays and Interviews*, ed. and introd. Donald F. Bouchard (Cornell University Press, New York, 1977), pp. 139-65.
- 14 Jacques Derrida, "The Ends of Man," reprinted in *After Philosophy*, ed. Kenneth Baynes, James Bohman and Thomas McCarthy (MIT Press, Boston, 1987), pp. 125-61, and "The Force of Law: The 'Mythical Foundation of Authority,'" in special issue on Deconstruction and the Possibility of Justice, *Benjamin N. Cardozo Law Review*, 11.5-6 (July-Aug. 1990), pp. 919-1047.
- 15 See Jean-François Lyotard, *The Differend: Phrases in Dispute*, trans. G. van den Abbeele (University of Minnesota Press, Minneapolis, 1988); Jean-François Lyotard and Jean-Loup Thebaud, *Just Gaming*, trans. Wald Godzich (University of Minnesota Press, Minneapolis, 1979); and Lyotard, *Heidegger and the Jews*, trans. Andreas Michel and Mark Roberts (University of Minnesota Press, Minneapolis, 1990).
- 16 See Iris Young, "The Ideal of Community and the Politics of Difference," reprinted in *Feminism and Postmodernism*, ed. Linda Nicholson (Routledge, New York, 1990), pp. 300-1.

PART I

Modernity, Morality and
Ethical Life

1 In the Shadow of Aristotle and Hegel

Communicative Ethics and Current Controversies in Practical Philosophy

In their Introduction to *Revisions: Changing Perspectives in Moral Philosophy*, Stanley Hauerwas and Alasdair MacIntyre write:

This is not the first time that ethics has been fashionable. And history suggests that in those periods when a social order becomes uneasy and even alarmed about the weakening of its moral bonds and the poverty of its moral inheritance and turns for aid to the moral philosopher and theologian, it may not find these disciplines flourishing in such a way as to be able to make available the kind of moral reflection and theory which the culture actually needs. Indeed on occasion it may be that the very causes which have led to the impoverishment of moral experience and the weakening of moral bonds will also themselves have contributed to the formation of a kind of moral theology and philosophy which are unable to provide the needed resources.¹

If this statement can be viewed as a fairly accurate indication of the Zeitgeist concerning ethical theory today, then this certainly does not bode well for yet another program of ethical universalism and formalism in the Kantian tradition. Such ethical formalism is considered a part of the Enlightenment project of rationalism and of the political project of liberalism, and it is argued that precisely these intellectual and political legacies are an aspect, if not the main cause, of the contemporary crisis. If communicative or discourse ethics is to be at all credible, it must be able to meet the kind of challenges posed by MacIntyre and Hauerwas.

Communicative or discourse ethics, as formulated by Karl-Otto Apel and Jürgen Habermas over the last two decades, is informed both by the Anglo-American and Continental traditions of thought and is witness to a provocative interaction between them. This project has been influenced by the work of such moral philosophers as Kurt Baier, Alan Gewirth, H. M. Hare, Marcus Singer

and Stephen Toulmin on moral reasoning and universalizability in ethics.² Above all, it is in John Rawls's neo-Kantian constructivism and Lawrence Kohlberg's cognitive-developmental moral theory that Apel and Habermas have found the most kindred projects of moral philosophy in the Anglo-American world.³

The central insight of communicative or discourse ethics derives from modern theories of autonomy and of the social contract, as articulated by John Locke, Jean-Jacques Rousseau, and in particular by Immanuel Kant. Only those norms and normative institutional arrangements are valid, it is claimed, which individuals can or would freely consent to as a result of engaging in certain argumentative practices. Apel maintains that such argumentative practices can be described as "an ideal community of communication" (*die ideale Kommunikationsgemeinschaft*), while Habermas calls them "practical discourses." Both agree that such practices are the only plausible procedure in the light of which we can think of the Kantian principle of "universalizability" in ethics today. Instead of asking what an individual moral agent could or would will, without self-contradiction, to be a universal maxim for all, one asks: what norms or institutions would the members of an ideal or real communication community agree to as representing their common interests after engaging in a special kind of argumentation or conversation? The procedural model of an argumentative praxis replaces the silent thought-experiment enjoined by the Kantian universalizability test.

In this chapter I would like to acknowledge the challenge posed to communicative ethics from a standpoint which I will roughly describe as "neo-Aristotelian" and "neo-Hegelian." Since Aristotle's criticism of Plato's theory of the good and of the ideal state in his *Nicomachean Ethics* and *Politics*,⁴ and since Hegel's critique of Kantian ethics in his various writings,⁵ formalist and universalist ethical theories have been continuously challenged in the name of some concrete historical-ethical community or, in Hegelian language, of some *Sittlichkeit*. In fact, Apel and Habermas admit that one cannot ignore the lessons of Hegel's critique of Kantian morality.⁶ Whether they have successfully integrated these lessons into communicative ethics is worth examining more closely.

A word of terminological clarification at the outset. In recent discussions "neo-Aristotelianism" has been used to refer to three, not always clearly distinguished, strands of social analysis and philosophical argumentation. Particularly in the German context, this term has been identified with a neoconservative social diagnosis of the problems of late-capitalist societies.⁷ Such societies are viewed as suffering from a loss of moral and almost civilizational orientation, caused by excessive individualism, libertarianism, and the general temerity of liberalism when faced with the task of establish-

ing fundamental values. Neither capitalist economic and societal modernization, nor technological changes are seen as basic causes of the current crisis; instead political liberalism and moral pluralism are regarded as the chief causes of this situation. From Robert Spaemann to Allan Bloom, this position has found vigorous exponents today.

The term "neo-Aristotelian" is also frequently used to designate the position of thinkers like Alasdair MacIntyre, Michael Sandel, Charles Taylor and Michael Walzer, who lament the decline of moral and political communities in contemporary societies.⁸ But unlike the neoconservatives, the "communitarian" neo-Aristotelians are critical of contemporary capitalism and technology. The recovery of "community" need not only or even necessarily mean the recovery of some fundamentalist value scheme; rather communities can be reconstituted by the reassertion of democratic control over the runaway megastructures of modern capital and technology. The communitarians share with neoconservatives the belief that the formalist, ahistorical and individualistic legacies of Enlightenment thinking have been historically implicated in developments which have led to the decline of community as a way of life. Particularly today, they argue, this Enlightenment legacy so constricts our imagination and impoverishes our moral vocabulary that we cannot even conceptualize solutions to the current crises of welfare-state type democracies which would transcend the "rights-entitlement-distributive justice" trinity of political liberalism.

Finally, "neo-Aristotelianism" refers to a hermeneutical philosophical ethics, taking as its starting point the Aristotelian understanding of *phronesis*. Hans-Georg Gadamer was the first to turn to Aristotle's model of *phronesis* as a form of contextually embedded and situationally sensitive judgment of particulars.⁹ Gadamer so powerfully synthesized Aristotle's ethical theory and Hegel's critique of Kant that after his work the two strands of argumentation became almost indistinguishable. From Aristotle's critique of Plato, Gadamer extricated the model of a situationally sensitive practical reason, always functioning against the background of the shared ethical understanding of a community.¹⁰ From Hegel's critique of Kant, Gadamer borrowed the insight that all formalism presupposes a context that it abstracts from and that there is no formal ethics which does not have some material presuppositions concerning the self and social institutions.¹¹ Just as there can be no understanding which is not situated in some historical context, so there can be no "moral standpoint" which would not be dependent upon a shared ethos, be it that of the modern state. The Kantian moral point of view is only intelligible in light of the revolutions of modernity and the establishment of freedom as a principle of the modern world.