THE TRIANGLE OF PUBLICNESS, COMMUNICATION AND DEMOCRACY IN HABERMAS'S THOUGHT

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ABSTRACT

THE TRIANGLE OF PUBLICNESS, COMMUNICATION AND DEMOCRACY IN HABERMAS'S THOUGHT

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This thesis develops the Triangle Model, to offer a general framework through which the work of Jürgen Habermas could be better understood and assessed. Accordingly, it is argued that, it is possible to derive a triangle in Habermas's thought, formed by the concerns of publicness, communication, and democracy. Each corner of the triangle corresponds to a major concern and focus of Habermas's project chronologically. The Triangle Model provides an overview of continuities and discontinuities in Habermas's work. The main discontinuity found is between the first and the second corners of the triangle, namely between publicness and communication. It is argued that this rapture stems from an interpretive turn, composed of three points: the influence of Hegelian philosophy of human interaction, the concomitant criticism of Kantian foundationalism, and the incorporation of Arendt's communicative concept of power.

This study also emphasises that there are points indicating continuity, or unity in Habermas's thought. First, an intersubjective theory of truth is

employed in all three concerns or corners of the triangle. Second, in all these concerns, Habermas searches for an answer to the same question: “how to produce legitimate norms”. The principle of publicity and the authority of the better argument voiced in the first corner of the triangle -publicness-, the discourse ethics of the second corner, and the deliberative politics of the third corner are formulated and adapted by Habermas in order to find the ways of producing legitimate norms. In this context, it is argued that the deliberative politics is based on publicness and communication; or publicness and communication are indispensable for deliberative politics.

Keywords: Jürgen Habermas, Public Sphere, Communication, Deliberative Politics, Theories of Democracy

ÖZ

HABERMAS DÜŞÜNCESİNDE KAMUSALLIK,
İLETİŞİM VE DEMOKRASİ ÜÇGENİ

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Bu tez Jürgen Habermas'ın eserlerinin daha iyi anlaşılmasını ve daha iyi değerlendirilmesini sağlayacak bir çerçeve sunmak amacıyla bir Üçgen Modeli geliştirmektedir. Buna göre, Habermas düşüncesinden kamusallık, iletişim ve demokrasinin oluşturduğu bir üçgenin çıkarsanabileceği iddia edilmektedir. Üçgenin her köşesi, kronolojik olarak Habermas'ın ilgilendiği ve odaklandığı bir ana sorunsala karşılık gelmektedir. Üçgen Modeli Habermas'ın eserlerindeki süreklilikler ve kesintiler hakkında da genel bir bakış sunmaktadır. Ana kesinti üçgenin birinci ve ikinci köşeleri arasında, yani Habermas'ın kamusallık ve iletişim odakları arasında gözlenmektedir. Bu kesinti şu üç unsurdan oluşan bir yorumsamacı dönüş olarak nitelendirilmektedir: Hegelci insani etkileşim felsefesinin etkisi, buna eşlik eden Kantçı temeldenciliğin eleştirisi ve Arendt'in iletişimsel iktidar kavramının dahil edilmesi.

Bu çalışma aynı zamanda Habermas düşüncesinde sürekliliğe ve bütünlüğe işaret eden noktaları da vurgulamaktadır. İlk nokta, üçgenin üç

köşesinde de öznelerarası bir hakikat kuramının kullanılmasıdır. İkinci nokta ise, bütün bu meselelerde, Habermas tarafından hep "Nasıl meşru normlar üretilebilir?" sorusunun yanıtının aranmasıdır. Üçgenin ilk köşesinde dile getirilen aleniyet ilkesi ya da daha iyi argümanın gücü ilkesi, ikinci köşesinde tartışma etiği ve üçüncü köşede tartışımcı siyaset, Habermas tarafından meşru norm üretmenin yollarını bulmak amacıyla formüle edilmiş ve benimsenmiştir. Bu bağlamda, tartışımcı siyasetin kamusallık ve iletişim temelinde yükseldiği ve kamusallık ve iletişimin tartışımcı siyaset için zaruri olduğu da iddia edilmektedir.

Anahtar Kelimeler: Jürgen Habermas, Kamusal Alan, İletişim, Tartışımcı Siyaset, Demokrasi Kuramları

to Zafer Dirim,

“her gün bir parçamız kopar yolculuk boyunca;

her gün bir parçamız kopar ama seninki çok büyük”

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CHAPTER I

INTRODUCTION

In this study, the first aim is to illustrate three different dimensions of the work of distinguished German political thinker Jürgen Habermas: publicity, communication and democracy respectively. Second, the study will explicate the relationships -continuity or discontinuity, dependence or independence- among these three aspects. In other words, the study will question whether it is possible to find a unity in overall Habermasian project? This study will suggest the unity thesis to great extent, and in order to examine these three phases, the *triangle* metaphor will be offered. But before moving on to clarification of this problem, it is necessary to draw a general framework to introduce Habermas briefly.

It is possible to note that the discussions about democracy, especially in the academia, proceeds with references to certain theoretical figures, and Jürgen Habermas is doubtlessly one of these theoreticians. Habermas is known as a neo-Marxist, and also reputed as the last representative of Frankfurt School, which is an institutionalised intellectual movement founded by Max Horkheimer and Theodor W. Adorno. Frankfurt School put forward a non-orthodox Marxism, and while being distanced from Soviet experience of socialism, they defended that Marxism should not limit itself to the relations of productions, but should also cover different aspects of life as culture, literature and art. They founded their position on the early writings of Marx and simultaneously remained critical to positivism in social sciences. Walter Benjamin was in the outer circle of the school, and as a remarkable name of

the New Left of the 1960s, Herbert Marcuse was also a member of this tradition. Habermas could be accepted as a representative of this tradition, as he formulated his relationship with the school as "critical loyalty".

Habermas is known not only as the last representative of the Frankfurt School, but he is also recognised as a stubborn defender of modernity. He gained such fame after his lengthy debates with several non-modernist (or postmodern) theoreticians including Michel Foucault and Jean-François Lyotard. Indeed *The Postmodern Condition* (1984) by Lyotard -the key text of postmodern theory-, was written as a reply to Habermas. Habermas summarises his defence of modernity in the famous phrase of "modernity as an unfinished project". By this statement, he accepts some failures of modernity, but stresses that its potentials are not totally exhausted, there are still possibilities of improvement with the setting provided by modernity. This leads Habermas to reject postmodernism as a paradigm that aims to destroy the hope and ideals of modernity.

At this point, demarcating different periods of Habermas's carrier would be beneficial. The first major work of Habermas is *The Structural Transformation of the Public Sphere* (1962), where he gives a report on the rise and the fall of the bourgeois public sphere, by employing historical analysis. He also developed in this work for the first time, "the principle of publicity", as a concept that he borrowed from Kant, with a probable mediation of the thought of Hannah Arendt. This notion of publicity later took part in *Theory and Practice* (1971) as well. By also including his famous article "Technology and Science as Ideology" (1968), these works can be labelled as the first period of Habermas.

The second period is mostly shaped by the two volumes of *The Theory of Communicative Action* (1981). *Communication and Evolution of Society* (1976) is another work of this period, which indicates the route to the theory of communicative action; and *Moral Consciousness and Communicative*

Action (1983) is also important in offering a re-evaluation of Habermas on the issue of communication and explaining discourse ethics. In this period, Habermas abandoned the historical analyses of the previous period, and began to theorise communication by benefiting from various sources. One source is Hegel's Jena lectures, where Hegel offered an understanding of *Geist* (mind) in terms of communication of human beings *via* categories of meaning comprised in language. Habermas appropriated from Hegel the idea that language is the medium of self-consciousness together with the notion of intersubjectivity. As another source Habermas enriched his theory of communication by analytic philosophy, especially the work of John L. Austin who developed a distinction between locutionary act, illocutionary act, and performative acts in language. J. R. Searle's speech act theory, developed within the heritage of Austin, was also incorporated his theory of communicative action. A third source for Habermas can be identified as linguistic theory. He borrowed from this discipline the notion contributed by Noam Chomsky "linguistic competence" opposed to "linguistic performance". Chomsky's point is about the universal equality of "linguistic competence" in human beings, and for Habermas this is the root of communicative competence. This second period could be labelled as a linguistic turn in Habermasian project, because he began to focus on language and communication, as the possible foundations for egalitarian and participatory politics. As a characteristic of this period, he defined the milieu of communication as language; indicated that the instrumental rationalisation of society as the main reason of distorted communication and began to outline the features of undistorted communication, a possibility through which the "colonisation of the lifeworld" will be overcome to a considerable extent. In other words, in this period Habermas defended the possibility of actualising communicative rationality as distinguished from instrumental rationality.

The third period of Habermas could be first noticed in his conference at Harvard titled as "Law and Morality" in 1986. But this period's masterpiece is surely *Between Facts and Norms* (1998a), a clear indicator of how the thinking of Habermas shifted his focused from the issues of language and communication to law and institutional arrangements. Besides law, he concentrates on democracy and starts to investigate the notion of deliberative politics. With this term, he criticises both liberal and republican ways of understanding politics, and seeks to arrive to an ideal synthesis of them. In his thought, deliberative politics is not only reciprocal ethical agreement, but also based on the equilibrium and conformity of interests. Within this framework, he underlines his dissatisfaction concerning the actual model of legislation in representative democracies, and defends the necessity of a model for producing law in a manner that the people could be engaged in its production through a communicative platform. This is how he conceptualises the relationship between law and communication. For Habermas, it is necessary that the positive law should be institutionalised on the basis of a discursive procedure. By this he means the discursive justification of morality, in other words, not a morality accepted because it is a social value, but rather a morality achieved as a result of public dialogue.

For most of the readers, the writings of Habermas could be seen as extremely branched out and dispersed. This way of considering Habermas is also common in the secondary literature on him, as most of the writers comprehend his works within separate compartments. But, this study aims to offer a vision that goes beyond this fragmentary view on Habermas. Related to this aim, a trivet model, which will help us in grasping his overall project as a systematic and consistent whole, will be granted. Such an endeavour does not cover some of his important works as *Knowledge and Human Interest* (1968) or *Legitimation Crisis* (1973). The argument is then: it is possible to read Habermas's theoretical journey in three successive phases. In other words,

there is a *triangle* in Habermas's thought, formed by the concerns of PUBLICNESS, COMMUNICATION and DEMOCRACY. The pointed aspect of such an abstraction concerns the relations between three corners of such a *triangle*, derived from three periods of Habermas's thought listed above. In order to explain the nature of this problematic, some more words are needed: the crucial side of *triangle* seems to be the one between publicity and communication. First a methodological change is observed between these two corners, from historical to more philosophical. Second, while defining the milieu of communication as language, Habermas seems to have neglected his early focus on the public sphere. So, why he did not integrate his early notion, namely public sphere, to his communication theory remains disputable. Nevertheless, it seems arguable that these two separate corners, though they do not depend on each other, and not form two stages of a theory building, indeed form a basis for the third stage of Habermas's thought. Probably for Habermas it would not be possible to reach the idea of deliberative politics without discovering the historical rise and fall of bourgeois public sphere and reflecting on language and communication. From this perspective, the metaphor or the scheme of *triangle* may also provide a possible discussion on continuity and discontinuity in Habermas's work. Moreover, the *triangle* metaphor allows the capacity of discussing where the base is, or which corners construct the basis, and which corner is the vertex of the *triangle*. As an early outcome, deliberative politics could be labelled as the final point Habermas has arrived. On this account, *triangle* model allows to render Habermas's thought simple and to periodise his overall project. A further advantage of *triangle* metaphor would be that by measuring and comparing the lengths of each side, it could be possible to determine which component of the basis is more significant for the top point, if this is not a *equilateral triangle*. In other words, the *triangle* metaphor will serve to integrate Habermas's differentiated concerns displayed since the late 1960s until his last major work of 1990s.

To put the same argument in another context, by observing different concerns of Habermas, the following question may possibly be raised: "what is the most important argument in the work of Habermas?". The study will not provide a simple and direct answer to this question, by indicating a specific book of Habermas as more important than his other works. But rather, it will be argued that the originality of Habermas can be found in the relation he constructed between publicness, communication and democracy; and peculiar interdependency that he is suggesting among these three phenomena. As a result, this study aims to show to the reader from where to enter into the totality of Habermas's work, with a simultaneous reading of three different phases. Such a study can also be named as a cross-reading of relevant works of Habermas, written in different periods.

To close this section, the title of the thesis is "The Triangle of Publicness, Communication, and Democracy in Habermas's Thought", for the following reason: the main problem of the thesis is the relationships among these dimensions of his theory, and more specifically the relationship between publicness and democracy, the relationships between language/communication and democracy will be examined. At the same time, possibility of deriving a ground for democracy from a seemingly unrelated field of language will be waiting question while the work will proceed. This is distinctively relevant if the non-political or even non-social nature of both analytical philosophy and linguistics is recalled.

My research aims to be contributory for three reasons: first, it will simplify Habermas's overall project in terms of three main intentions and endeavours. Second, Habermas is not indicating in any of his writings such a *triangular* relationship among different works. Leaving a *triangular* relationship aside, he rarely indicates a dual relationship between his writings[1];

[1] The exception of this general attitude is his article "Further Reflections on the Public Sphere" (Habermas, 1992e). In this piece, Habermas does two things simultaneously: he responses some criticism directed to his *The Structural Transformation of the Public Sphere*, and he revises some parts of this book. While he is revisiting his work on public sphere, he also mentions some linkage

although he writes with detailed references, he does not acknowledge his early works as much as he could. For this reason, such a holistic reading of Habermas suggested in this study will probably put forward an understanding which is not explicated even by Habermas himself. Thirdly, as a general observation about the secondary literature, one should see the tendency of studying Habermas within specific set of works, without considering what was the previous or what was the next. Such a triangular connection is not suggested either in the enormous literature on Habermas.

As method, this study will pursue a critical textual interpretation, in other words it will analyse limited number of Habermas's texts, by excluding some others. By the critical textual interpretations, it is particularly meant a close analysis of the texts by focusing on their core arguments, as well as their connections with different texts.

On that account, this study is an attempt to understand different dimensions of the work of Habermas. Therefore the particular conception of "understanding" -*Verstehen*- offered by Weber is directly relevant at that point. There is a common misperception about *Verstehen* as taking it as a simple intuition of the researcher. Thus, many critics see it as a soft, irrational, subjective research methodology. However Weber categorically rejects the idea that *Verstehen* involved simply intuition, sympathetic participation, or empathy. For Weber, *Verstehen* is doing systematic and rigorous research rather than simply getting a "feeling of a text" or social phenomenon. In his terminology *Verstehen* -focusing on the intersubjective meanings or socially constituted rule which define the meaning of action within a given society- is a rational procedure of study. Following this terminology, *Verstehen* will be a reference point for this study, where meaning of Habermas's work will be attempted to be understood by means of rational systematic analysis.

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between his different works without clear statements. This will be evaluated at the end of third chapter (3.5).

If the main focus is critical reading of certain texts, the methodological framework should also borrow something from Gadamer's hermeneutics, as hermeneutics aims to understand the thought (or mind) of the author and the basic structure of the text.[2] The hermeneutic circle, which is moving back and forth between specific parts of the text in order to reach an understanding of the totality of text, is the main method for this research. For that reason, some more words are needed about Gadamer's hermeneutics.

According to Gadamer, the task of philosophical hermeneutics is opening up of the hermeneutical dimension in its full scope. This means showing the significance of entire human understanding of the world and all the various forms of manifestation of this understanding (Gadamer, 1977: 18). It is often thought that Gadamer's understanding of hermeneutics is mostly based on language (Grondin, 1995: 13), and it is a framework designed for the domain of literature. But indeed, his hermeneutics has a much broader scope. In *Philosophical Hermeneutics*, he says that "the universal phenomenon of human linguisticality also unfolds in other dimensions than those which would appear to be directly concerned with the hermeneutical problem, for hermeneutics reaches into all the contexts that determine and condition the linguisticality of the human experience of the world" (Gadamer, 1977: 19).

So the borders of hermeneutics include every human experience actualising in the sphere of language: this includes several kinds of experiences such as politics, social movements, power relations and certainly literature. Therefore, hermeneutics may be conceived as a tool to employ in

[2] In a study about the political philosophy of Habermas, employing Gadamer's understanding of philosophical hermeneutics may seem problematic due to Gadamer-Habermas debate. The methodology of this study puts this debate into parentheses, and employs Gadamer's framework as the subject of the study in a conventional textual set. For brief accounts of the debate see (Hoy, 1982: 117-128; Holub, 1991). But it is also necessary to note that a key disagreement between Gadamer and Habermas was about whether to perceive hermeneutics as a method or not. Gadamer declares his position by stating that hermeneutics could be at best an art and not a method (Habermas, 1990: 21), and on the other side, Habermas defends to use hermeneutics as a method of social science. This point will be once more evaluated later in 3.1.4. At this point, it suffices to say that by employing hermeneutics as the method to understand Habermas, this study adopts a Habermasian position when this specific disagreement is taken into consideration.

the sphere of social science. Gadamer states that such an employment would be beneficial, because it would help to overcome the positivistic ossification observed in social science. He also points out that it is possible to talk about the historical failure of social theory to reflect its linguistic foundation, and hermeneutics brought into the domain of social science would be also invaluable to theorise the linguistic aspect of social entities (Gadamer, 1977: 26). Hermeneutics has an intersubjective nature, and it aims to place communication on a new basis distinct from the false objectivism of alienated knowing (Gadamer, 1977: 29-30).

This study also aims to develop a communication with Habermas's texts and accepts that this is not possible in an objectivised way, but with a hermeneutical approach. In this respect, Gadamer's philosophical hermeneutics becomes significant. Gadamer says that the principle of hermeneutics simply means an attempt to understand everything that can be understood (1977: 31). As this study is an attempt to understand Habermas's political philosophy, the hermeneutical way of understanding will be a guide. Concisely, the main problem of this study is a communication with Habermas's set of texts, and it aims to propose a model -the triangle model- to facilitate further communication with his overall project.

At that point, the question is "what is the specific suggestion of Gadamer?". In a simplified version, his particular suggestion is about the role of questions and prejudices in the process of understanding. In his perspective, the real power of hermeneutical reflection is the ability to see what is questionable (1977: 13). This study, too, is based on a set of questions: if restatement is necessary these are about a way to assess Habermas's overall project, the continuities and discontinuities in his career, and the turning points of his theoretical journey. And creating a dialogue with a given set of texts, i.e. Habermas's texts, is a hermeneutical act.

In terms of prejudices, Gadamer states in a very Heideggerian tone that being is not created so much by the judgements but rather it is constituted by the prejudices. Form this provocative statement, he arrives to a positive concept of prejudice. He notes that the biggest prejudice of Enlightenment is against prejudice, and according to this prejudice, prejudice is perceived as a distortion of truth. But for Gadamer, prejudices are biases of people's openness to the world. Prejudices are simply conditions whereby people experience something. Thanks to prejudices what people encounter says something to them (Gadamer, 1977: 9). Moreover, if hermeneutical act is an ability of questioning, the sources of questions are also prejudices. These hermeneutical assumptions are also determining the basis of my study, because it is also build on several prejudices: to name few of them, the contributory value of Habermas's texts is taken for granted, some discontinuities are presupposed and yet a unity of overall project of Habermas is accepted. In effect, these prejudices dominated the study, and thanks to them many questions could be formulated.

CHAPTER II

PUBLICNESS: PUBLIC USE OF REASON, PRINCIPLE OF PUBLICNESS AND SHRINKING PUBLIC SPHERE

A good starting point for examining the concept of publicness in Habermas's work, is his article "The Classical Doctrine of Politics in Relation to Social Philosophy" ([1963], 1973: 41-81). This article is important because it reflects what Habermas understood by social philosophy as opposed to the political theory of Antiquity that had a clear end in eighteenth century. This article explicates how Habermas builds criticism toward social philosophy to differentiate his own theory from this tradition. This diminishing process began with More, Machiavelli, and Hobbes precisely declared the end by conceiving politics different from the manner of Aristotle, before two hundred years of the final defeat of old politics. By occupying with "the matter, forme and power of a commonwealth", Hobbes was pursuing social philosophy. In this piece, Habermas defines the old (classical) meaning of politics of Aristotle in three regards: first, such a perspective of politics has been declared to be the doctrine of good and just life, as a derivative of ethics. In Aristotle's understanding, only *politeia* was making the citizen capable of the good life, and related to that, the city or the *polis* was the indispensable basis for the realisation of human nature. In Kant's theory in contrast, after the turn to social philosophy, individuals were perceived as entities first, who are only internally free, and second, ethical conducts of individuals are supposed to be totally separated from their externally behaviours. The second difference underlined by Habermas between old doctrine of politics and social

philosophy is that the former was entirely referring to *praxis*, but this *praxis* with the narrow sense that it had in Antiquity, which was only limited to formation and cultivation of the character, and was not touching upon *techne*, the skilful production of artifacts and expert mastery of objectified tasks. However with Hobbes, this old comprehension of politics was replaced by political technique with a special emphasis of correct establishment of the state. The third distinction between the old politics and social philosophy is that Aristotle conceptualised specifically politics, and more generally practical philosophy as a discipline that fails to be rigorous. Habermas states that Hobbes, opposite to the old version, considered politics as a means to secure knowledge of the essential nature of justice, namely of the laws and compacts.

Habermas sees social philosophy as a meaningful achievement by manifesting the possibility of establishing the certainty of universally valid statements, by reassuring the claims about practical consequences of its own teaching. But Habermas maintains a critical position with respect to the failure of social philosophy: this perspective was not able to bridge theory into praxis, that is "the furthering of human life". This lack mostly caused stemmed from aiming a rigid rigorousness. Habermas states that Hobbes leaves no doubt about the technological self-understanding of a social philosophy established as a science, and this constitutes the basis for the absolute power of *Leviathan*. Hobbes replaced the position of ethics in the old doctrine of politics with modern physics of Galileo in social philosophy. Habermas quotes from Arendt's *Vita Activa*, where she characterised the constructions of rational Natural Law in Hobbes's work, as the attempt to find a theory by which one can produce, with scientific precision, political institutions, which will regulate the affairs of men with the reliability with which a clock regulates the motions of time or creation understood in terms of a clock regulates the process of nature. As a result, Habermas assumes a relation between Hobbes's foundation of social philosophy as science and the centralisation and

bureaucratisation of power within the modern state apparatus. Habermas ends his discussion by asserting that the moderns -Hobbes and others-, achieved the rigor of their theory, which is appreciated by him to certain extent, but this achievement was at the cost of loosing the perspective of praxis.

The criticism raised in "The Classical Doctrine of Politics in Relation to Social Philosophy" maps clearly the main problematic that Habermas deals in his first period. This is how to locate theory into praxis, not in the narrow meaning of Antiquity, but with meaning encompassing several parts of human lives. The way that Habermas tries to solve this problem, gives us a clue about the way he evaluates Marxism and this can be followed in his article "Some Difficulties in the Attempt to Link Theory and Praxis" ([1971], 1973: 1-40). Social philosophy took its foundation from scientific viewpoint, only at the cost of a separation from the connection with experience. Such a monological form of social philosophy has no longer an ability to link theory to praxis, but it just constitutes a basis for goal-directed purposive action guided by social-technical recommendation. In this setting Habermas understands historical materialism as a theory of society conceived with a practical intent, which avoids the complementary weaknesses of both traditional politics and of social philosophy by uniting the claim to scientific validity with a theoretical structure referring to praxis. At that point it seems safe to argue that, especially at the beginning of his career, Habermas offers a key notion to relate theory to praxis. Habermas's first book, *Structural Transformation of the Public Sphere* [*Strukturwandel der Öffentlichkeit*] ([1962], 1992a), is, in his own words, an attempt to continue the Hegelian and Weberian Marxism of the nineteen-twenties with other means. This book offers a perspective to solve the problem of bridging theory with praxis, by defining public sphere as milieu where public opinion can be formed. Once public opinion is formed, with its function of criticism and control of institutionalised state authority, abstract ideas (theories) voiced by people could become effective, could have an influence

on daily practices (praxis). In this respect public sphere has an inclusive character, because it accepts as legitimate force only the force of the better argument, by keeping out every kind of coercion possibilities. This character is also important to relate theory to praxis. The discussion concerning this problematic will constitute the first section of the chapter (2.1), where the conceptual framework about public sphere offered by Habermas will be discussed. In the next section (2.2), philosophical roots of the idea of publicness will be on focus. Critique of publicness and decline of public sphere will be the main discussions of the section (2.3). How scientization of politics and technology became further barriers to publicness will be the focus of the section (2.4). The chapter will close by a brief discussion on insufficiency of public sphere as a level of analysis (2.5)

2. 1 Public Sphere: A Conceptual Framework

In his short, encyclopedic article, titled "Public Sphere", Habermas provides a compact framework about his understanding of public sphere (1992c). Habermas means by public sphere first, all the domains of social life where public opinion can be formed. As the principal, being a part of public sphere is possible for all citizens. And public sphere is an entity partially composed in every conversation, in other words in every dialogue, performed by private persons. The necessary condition of such constitution process of public sphere, at this preliminary level, can be listed as follows: the conversation/dialogue should take place in a public milieu; the participants/performers of the dialogue process, the private persons, should neither be motivated by profit motive as business people nor act as subjugated to the legal regulations of state bureaucracy. Public sphere is the milieu where nobody is forced to obedience. Habermas underlines that in contemporary era, as the public is larger with respect to the era when it has originated, there is a need for

mediation besides the direct conversation and therefore now, newspapers and periodicals, radio and television are the media of the public sphere.

For Habermas, political public sphere is mainly dealt with the state's practice, as counterpart of coercive state power and clearly such a state power could never be perceived as a part of political public sphere. Political public sphere could have an influence on government via legislative body in line with the democratic publicness principle. Related to such possibility of influence, the term "public opinion" means the function of criticism and control of institutionalised state authority by public either in informal ways or formal ways, as in the case of periodic elections; and public opinion can just be formed by the existence of a public engaging in rational discussion processes. Consequently, public sphere mediates between state and society, by the principle of publicness. According to this principle of publicity "citizens act as a public (to) deal with matters of general interest without being subject to coercion, … with the guarantee that they may assemble and unite freely (to) express and publicise their opinion freely" (Habermas, 1992c), and by such a characteristic, publicness becomes the opposite of secret politics of state and can function as democratic control of state activity.

2.1.1 The Basic Blueprint of Publicness

In order to understand this principle of publicness in a more profound manner what is required is a closer glance at the whole of *Structural Transformation of the Public Sphere*. First a problem of translation needs to be discussed. In Thomas Burger's translation, Habermas argues that public sphere was specifically a part of "civil society", which at the same time established itself as the realm of commodity exchange and social labor governed by it own law. Here translating *bürgerliche Gesellschaft* as civil society is very doubtful and ambiguous, if it is not wrong. A better translation, avoiding possible confusion with modern usage of the term civil society, could be "bourgeois society",

because bourgeois public sphere has a much more specific meaning than the term civil society has in either Lockean or Gramscian sense. This specificity is clearly declared in Habermas's preface to *Structural Transformation of the Public Sphere*:

> We conceive bourgeois public sphere as a category that is typical of an epoch. It cannot be abstracted from the unique developmental history of that "civil society" [*bürgerliche Gesellschaft*] originating in the European High Middle Ages; nor can it be transferred, idealtypically generalized, to any number of historical situations that represent formally similar constellations. Just as we try to show, for instance, that one can properly speak of public opinion in a precise sense only with regard to late-seventeenth-century Great Britain and eighteenth-century France, we treat public sphere in general as a historical category (Habermas, 1992a: xvii-xviii).

In this book Habermas mostly deals with the problematic of a public sphere distinct from private domain, and based on the public use of reason raised with bourgeois culture. This period can be named as classical or construction period of the public sphere. But as the above quotation indicates, this is an accomplished process, or in other words a structural transformation had occurred in public sphere. This transformation corresponds to the fact that after the classical period the scope of public sphere had expanded impressively, yet simultaneously its function has become progressively insignificant. This period can be termed as a process of decomposition or shrinking. Calhoun notes that (1992), after the introductory chapter Habermas's book is organised for examining these two phases of public sphere. In the first half, the social structure which gave rise to the public sphere, the political function of public sphere in its classical period, and the ideological environment that shaped this period were in the focus; while in the second half, same themes of social structures, political function and ideology are revisited to recite the shrinking period.

In terms of describing the social structures that had introduced the public sphere, Habermas develops the blueprint of public sphere as the sphere of private people coming together as a public, to "debate over the general rules governing relations in the basically privatised but publicly relevant sphere of commodity exchange and social labor" (1992a: 27). As this blueprint indicates, in Habermas's understanding public is the milieu generated by the existence of private. In this dichotomy the function of the private is not only creating an antithesis, just an opposite of the public realm, but a room or an area where the things appearing in the public can flourish. This point is important for two reasons: on the one hand, it both makes easier to understand why Habermas refers to Hegel's critique of Kant, in terms of possibility of using reason by forgetting the private interest. On the other hand, it makes manifest the differences between the Antique notion of publicity and Habermas's model of public sphere. The first point will be evaluated in the following part of this chapter, for the time being more words are need to explicate the second point.

In Classical Antiquity private was perceived as the domain of necessity. But according to Habermas, by the fact of institutionalised social labour and relations of exertions raised by it, this ancient meaning of the "private" was banned from the inner region of private sphere, from the home. With this banning/exclusion process, what was left in private domain was audience-oriented [*publikumsbezogen*] subjectivity of the conjugal family's intimate domain. This was the source of privateness in the modern sense and it originated the private experiences. Such private experiences lead the public's understanding of the public use of reason on modern times (Habermas, 1992a: 28). One way to observe the privatization of life is to focus on the changes in the architectural styles of houses. Some key features of these changes are noted by Habermas: old and large halls were divided up to create space for rooms of ordinary size, the big courtyards both shrank and moved to the

behind of the houses; communal room of husband and wife and children and servants got smaller or disappeared. Simultaneously, special rooms for the individual family members became more dominant and such spaces of solitarization were reputed as a sign of distinction. In such an atmosphere of the rise of the individual(isation), in Habermas's words, privatised individuals who leave the private to form a public, were not any more reduced to social, because they had an institutional, patriarchal, conjugal private domain. In Habermas's words,

> (A) privatized individual, the bourgeois was two things in one: owner of goods and persons and one human being among others, i.e., *bourgeois* and *homme*. … *The fully developed bourgeois public sphere was based on the fictitious identity of the two roles assumed by the privatized individuals who came together to form a public: the role of property and the role of human beings pure and simple.* (1992a: 55-56, emphasis in original)

In this framework, private sphere is much more than a domain of basic necessities, as it was in classical Antiquity, so it could be conceived as an essential condition of publicness.

This connection between private and public, in the form of generating each other, also explains Habermas's views on the genesis of the bourgeois public sphere. By the rise the mercantilist phase of European capitalism, early long-distance trade did not challenge the old system and its conservatism, but the traffic in commodities brought increasing traffic in news (Habermas, 1992a: 15). Nevertheless these early forms of news traffic did not have a public character, as the groups of merchants and court chanceries perceived their interests on the "news letters", accessible only to those who had paid for them. In other words information was limited to insiders. But this restriction to information has ended at the end of the seventeenth century, when a press in the sense of regular supply of news, open to general public, became

established. And for Habermas this was crucial for the rise of the public sphere, in the modern sense. This crucial rise was followed by society's encounter with a state as clearly separated from private domain and as distinct public authority. Simultaneously, people began to see the reproduction of life, the fulfilments of basic necessities, as beyond the limits of private domestic issues and, rather as subjects of public interest. These new perceptions, and way of understanding the social setting, meant a zone where continuous contacts with administration were taking place. This new mentality brought the possibility of being "critical", in the sense of provoking the critical judgement of a public making use of its reason, concerning the subjects of public interests. Press, originated from and monopolised by private interest for considerable time period, began to internalise the meaning of being critical, though the tension or the contradictions between private interests and public concern did never end (Habermas, 1992a: 20-24).

2.1.2 Three Features of Classical Publicness

Here three points may be underlined to indicate keystone the concrete basis of new publicness. The first one is about the spatial dimension of the issue: towns or cities had determining position in the establishment of the world of letters. Before the classical period of public sphere, before the rise of publicness, impressive palaces were dominating cities as an element of the representative public. But Habermas is very clear in noting that this representative public was not forming a kind of social realm or public sphere, but it was just a status attribute (1992a: 7). Whole purpose of this representative publicness was the public representation of lordship or sovereignty. This conception was fixed in the written legal regulation by stating that representation can occur in public; there is no representation that would be in a private matter. When palaces moved from the city, city took its cultural functions, which means providing an atmosphere for critical use of public reason as well as stimulating a lively

atmosphere for literature, with coffee houses, the *salons*, the *Tischgesellschaften* (table societies), the *lecteurs* and the *spectateurs* (Habermas, 1992a: 33-35).

Such institutions like *salons* or houses, despite differences in their sizes, styles or climates, shared important common characteristics of organising discussions among private people in a permanent or systematic way. For Habermas, based on this common characteristic, these places formed the public sphere, a publicness on letters, but not limited to the domain of literature. They were important for three interrelated points: first, they neglect social status in an atmosphere where celebration of different ranks was replaced by equal measurement of all. When the celebration of different ranks or social hierarchy were replaced by an understanding of equality, the authority of the better argument began to dominate the atmosphere, on the basis of the parity of "common humanity" ["*bloss Menschliche*"] (Habermas, 1992a: 36). Prestige of public office as well as laws of the market and the state were suspended in favour of the authority of the better argument.

Second, with the rise of such a public sphere, problematisation of previously monopolised areas as philosophy, literature, and art, became inevitable. With the market-based production in these fields, the monopoly of church in interpretation and state authority had terminated, and a general accessibility for those cultural products became possible. At that point Habermas refers to the notion of aura, as it is developed by Benjamin[3]; and relates aura to the representative publicness. When these cultural products turned to a profane commodity they slipped off their aura of extraordinariness and their old sacramental character. This dropping from the aura meant that, as Benjamin indicates, the cultural products were now for the access of all and, as Williams claims for the first time they were freed from the reproduction of social life (Habermas, 1992a: 37).

[3] See Benjamin's well-known article "The Work of art in the Age of Mechanical Reproduction" (Benjamin, 1992: 211-244).

Third, this process of withdrawal from aura and being transformed to a profane commodity of cultural products were also corresponding to the development that the public sphere, especially in terms of publicness of the world of letters, had been established as an inclusive entity, as the culture was mostly taken as an object of general discussion. By the very nature of this general discussion, public of literature could never enclose itself as a strict clique, and by the readers, listeners and spectators who were forming discussions, an inclusive public of all private people was consolidated. According to Habermas, every person had the ability to participate. He does not deny the fact that in the period he is analysing the public was minor with respect to the mass of the rural population and the common "people". In addition, elementary education was inferior, and average disposable income was too low to enable masses to take part in the market of cultural goods. Nevertheless, Habermas underlines that, with the emergence of public formed by the commercialisation of cultural production, a new social category -public sphere- originated (1992a: 38).

2.1.3 Authority of the Better Argument

These three points about the common institutional criteria of the new public sphere do not just provide a descriptive panorama of a historical time interval, but they also have key significance to understand Habermas's ideal model of publicness. On that account especially the conceptualisation of authority of the better argument, or the force of the better argument, explain the whole model as an authoritative synopsis. Moreover, it accommodates a direct bridging to a later concern of Habermas, deliberative politics[4], which assumes a discussion atmosphere where no one is superior to another but the best available argument dominates.

[4] See Chapter IV, for the details.

In *The Structural Transformation of the Public Sphere*, Habermas develops his theory of the authority of the better argument by concentrating on the art criticism, in the world of letters (1992a: 41). With the rise of the publicness in the domain of literature, a new occupation called *Kunstrichter* (art critic) appeared. Indeed, according to the principle of publicity, anyone who bought a book, who acquired a seat in a concert or theatre, or visited an art exhibition, has the right to make comments about the event she was a part. This is a right to make free judgement which is gained by merely participating in public discussions. This conception of public debate open to all, was the result of the removal of the barrier constructed by the old representative model of publicity. Such removal rendered the differences in intellectual capacity or inheritance irrelevant. In this new era, in line with the principle of publicness, the true judgment was supposed to be discovered only through public discussions. Habermas states that in that understanding, truth appeared as a process, a process of enlightenment (1992a: 259). This new theory of truth as an intersubjective conception, is an alternative to the correspondence theory of truth.[5] Indeed, concerning truth as an intersubjective outcome, constitutes one of Habermas's core assumptions. In other words, one may argue that the argument developed in *The Structural Transformation of the Public Sphere*, concerning truth will continue in his later works.

In the art criticism, the public does not offer any participant a privileged position, but it does recognise expertise. The crucial point was that *Kunstrichter* was not performed as professional occupation but it was mostly

[5] The way to reach the truth is a very old question and this can be assessed as the key question of philosophy and modern science. In the field of philosophy, there are different theories providing different answers to this key question. The most general and oldest theory, "correspondence theory" says that a statement or a proposition is true as long as a fact, corresponding to it, exists. This theory is dominant since Aristotle, but in twentieth century some competing theories raised. Horwich mentions that a popular alternative to the correspondence theory has been to truth with verifiability. One version of this perspective is known as "coherence theory". Accordingly, a statement or a proposition is true as long as it could be verified, and verification is possible if this statement or proposition is part of an entire system of beliefs that is consistent and harmonious. "Pragmatic theory" appears as a third alternative to correspondence theory. It argues that "true assumptions said to be by definition, those that provoke actions with desirable results" (Horwich, 1996). Habermas adopts a fourth alternative, namely the "intersubjective theory of truth".

perceived as an amateur activity. The specialisation does not guarantee that the judgment made by *Kunstrichter* will be intersubjectively (by most of the people), accepted as the best possible. His -recognised- expertise is only convincing until it is countermanded. A statement declared by an expert, as by a layman, is open to the intersubjective judgment mechanism of authority of the better argument. In other words, an expert's judgment is valid not because of the *a priori* advantage gained by the status of being an expert, but it is valid until a better argument is supplied. Hence, the force of better argument, which has by default an intersubjective nature, is the unique criteria to evaluate a statement. The only rule that people in the public debate should respect is to get rid of prejudices, in order to create an atmosphere where the force of better argument can work without any external or inherited factor/influence.[6]

For Habermas, the discussion about the world of letters and art criticism is important, because, these are the constitutive elements of public sphere, yet this discussion is also important as it leads Habermas to assert that political publicness had evolved from the publicness of literature. On that account, the public sphere of the world of letters, already equipped with the institutions of the public and with the forums for discussions, provides a milieu for the criticism of public authority by private people using their reasons. By the rise of publicness, public opinion battled with public power, and the meaning of that was a shift from properly political tasks of a citizenry acting in common -as it was the case in Antique Greek model-, to the task of regulating the civil society. Habermas states that the Greek model of the public sphere was missing the possibility that citizen could be in dispute with his own government. The bourgeois public sphere, with the possibility of such battle opposing the public power, has a agonistic character (Habermas, 1992a: 52).

[6] On prejudice, Habermas deviates from Gadamer who insists on the necessity of prejudice. This debate has a key role in Habermas's late contribution on deliberation. The matter about expertise, its enabling and disabling potential for publicness, will be revisited and elaborated by Habermas in his famous articles, "Scientization of Politics" (1970a), and "Science and Technology as 'Ideology'" (1970b), which will be examined at the end of this chapter, at 2.4.

The transfer of publicness from world of letters to the political area in general, which can also be interpreted as the expansion of publicness, has a direct relevance to end the lasting controversy between constitutional law and absolute sovereignty. The principle of absolute sovereignty was claiming that secret practices of state were needed to secure the sovereignty over immature people, and this argument has been voiced originally by Machiavelli. Contrary to this, the principle of publicity was opposing to the secrets of state, and to an executive power based on the will of few individuals who are freed from the inspection of all. Habermas declares that Locke made a significant step in this direction by stating the clear superiority of established standing laws over extemporary decrees to be a framework for governing. Later, Montesquieu added that decrees and edicts are a bad sort of legislation, as they are changeable more easily according to the will of the ruler. Such way of theorising the law-government relationship brought gradually the reversal of the principle of absolute sovereignty. That was reversing Hobbesian claim of "authority makes law", and in the new era the authority was replaced by truth: *veritas non auctoritas facit legem* (truth, not the authority makes law) (Habermas, 1992a: 53). For secrecy was related to the sovereignty based on *voluntas* (will), and publicity was related to the legislation based on ratio, replacing authority by truth meant that the princely authority using the secrets of state had closed its period and, was to be replaced by the rising rationality originated from the critical public debate among private people. After Locke connected the publicly proclaimed law to a common consent, and Monstequieu considered the consent as human reason, the final contribution came from the physiocrats who related the law explicitly to public opinion which they accept as the expression of reason (Habermas, 1992a: 54). In this new perspective, public opinion was settled as the only legitimate source of law.

Habermas favours such a conception of legitimation, because in his understanding the results obtained at the end of public process of critical debate may claim to being in accord with reason, because the debate -in principle- took place without internalising any preexisting social and political ranks and actualised only in accord with universal rules -the power of the better argument-. Habermas's normative points about public process of critical debate are indeed connected to his concern about how the law should be made in modern societies. This connection (continuity) will be apparent in his later work *Between Facts and Norms* (Habermas, 1998a). In other words, the emphasis made on public opinion as the unique source of legitimation (early Habermas) is linked to deliberative politics (late Habermas).

In short, Habermas schematises the public sphere as the area situated between private realm and sphere of public authority. According to his diagram (1992a: 30), private realm is constituted by civil society, which is the realm of commodity exchange and social labour, and conjugal family's internal space. He locates the bourgeois intellectuals to this internal space as well. The components of the sphere of the public authority are the state, as the realm of the "police", and the court in terms of aristocracy. And the district between these two domains is public sphere which can be classified in two main branches: a) public sphere in the world of letters, covering clubs, press, cultural products market, and b) public sphere in the political realm. "Town" appears as the basic milieu of these two interrelated public sphere, and the state could be in touch with the needs of society through the public sphere. In this setting, public sphere, which has the potential to combat with state is closer to private sphere. Whereas its relation vis-à-vis the state is clear cut, its relation with private realm is more problematic. The problematic character of this relationship is mainly caused by the fact that public is formed by private persons. The phrase private person connotes that, in them, not only immediate interest, but also humanitarian and universalist outlooks are effective. This

creates an ambivalence for private realm, and public sphere is disabled by this ambivalence. The next section will focus on this ambivalence. But first, it is needed to discuss Habermas's account of the philosophical roots of publicness.

2.2 Philosophical Roots of the Idea of Publicness

Having seen the historical account of the evolution of the public sphere, now it is time to focus on the philosophical roots from where Habermas derives his model of publicness. The first focus will be on eighteenth century political philosophy, with a specific emphasis on the notion of public opinion. And the second focus will be Habermas's reading of Kant, especially Kantian public use of reason.

2.2.1 Eighteenth Century Political Philosophy

Habermas prefers to open his discussions on the idea of publicness with the history of the phrase "public opinion". This attempt starts with the information that, both in English and in French opinion had, for considerable time period, the meaning of uncertainty and not fully demonstrated judgement. Moreover it was connected to the informal web of folkways, which had more effective social control than the formal censure. Habermas considers Hobbes's contribution of identifying "conscience" with "opinion" as a momentous step (1992a: 90). By this identification, Hobbes does not attribute the capacity of being the claim of truth, to neither conscience nor opinion. As Habermas notes that by the privatization of religion and of property, Hobbes contributed to the process in which private opinion gradually gained importance. Nevertheless, Habermas reserves the honour of making opinion respectable for Locke, because with Locke, opinion received a status, which freed it from its polemically devalued association with pure prejudice (1992a: 92).

This new status was not accepted in French context immediately, where the phrase had a difficult journey. As an example, Bayle, the contemporary of Locke, had a perspective about the truth discovered in public discussions among critical minds. He assumed that criticalness of the reason could be developed inwardly and raison remained subjected to public of the state. For Bayle, the cases where raison was not subjected, are the cases of guilt, as in the case of satire appeared on press. Habermas designates that, contrary to France, in Britain of the same period, satiric pamphlets were the main sources where the press derived the issues of political debate (Habermas, 1992a: 92). And for the Encyclopedists of Enlightenment too, opinion connoted mostly a polemical meaning supposedly related with a mental condition of uncertainty and vacuousness. The picture took a different shape *chez* Rousseau, and got more confused.

Despite the attitudes of Encyclopedists, Rousseau was the first political theorist who coined the phrase *opinion publique* (Habermas, 1992a: 93). His usage was bounded with the old meaning and connotations of *opinion*, inserting *publique* to the equation was a proof that something was in the way of change. Habermas maintains that Rousseau projected an intrusively political society where there is no space for an autonomous private sphere, a civil society emancipated from the state, and a framework which was unbourgeois. Once a new type of opinion is classified as *publique*, unpublic opinion, which is vote, was increased to a new status of sole legislator. As a result of this new status, the public's rational-critical debate was no longer needed. The same perspective was seen on opinion requiring the *législateur*, in its legislative function. The *législateur* could rely on force or on public discussion (*la résolution*), so the alternative was compelling without violence and persuading without convincing. Here it seems that Rousseau is developing an early definition of hegemony, because the relation between democracy of unpublic opinion and the manipulative exercise of power have resemblances

with the conception of hegemony. At that point, Habermas poses two questions: why did not Rousseau call the sovereign opinion of the people simply *opinion*? And why did he identify it with *opinion publique*? Habermas's answer is simple: in Rousseau's theory, there was always an echo of plebiscite as it was modelled in Greek *polis*, and such a direct democracy required the sovereign's actual presence. This means that the general will should have a physical existence in people, the consensual assembly. In Rousseau's view, democracy is associated with a common milieu, the *place publique*, where citizens assembled themselves for giving their consent, and not necessarily entering into a rational-critical public debate (Habermas, 1992a: 99). As a result Habermas concludes that Rousseau wanted a democracy without public debate.

Still, such theories against public discussions was not hindering the rise of publicness in Europe, and opposes to Rousseau in France, Burke in England was offering a divergent horizon. Burke was contrasting free and non-free countries by the existence of public debates, and underlined that in non-free countries only officials are encouraged to think about public affairs. According to Burke, this is an attitude that should be criticised, because for him, all citizens should use their reason, constantly and discreetly.

2.2.2 Kant and Public Use of Reason

But beyond physiocrats, Rousseau, or Burke, the key theoretical figure for Habermas concerning publicity is Kant. In *Structural Transformation of the Public Sphere*, Habermas develops a dialogue with Kant's work with a special emphasis on three famous pieces: "What is Enlightenment?", "Idea for a Universal History with a Cosmopolitan Purpose", and "Perpetual Peace". He finds the importance of Kant on the following perspective: Kant developed the

principle of publicity, before "public opinion" had its common usage in German. And in its early time, public opinion conceived itself as an unpolitical entity, just responsible for the rationalisation of politics in the name of morality. But with Kant, the picture took a different shape, because Kant stated, in the first appendix of "Perpetual Peace", that the union of politics with morality is not a remarkable attainment. Therefore, Kant proposed that politics should have homage to morality. And the two basic postulates of the "Perpetual Peace", republicanism and pacifism of every state are related to the idea of perfectly just order. Then, the compulsion is disallowed for personal rule, and reserved specifically to reason; because only reason can have judgement about perfectly just order. Habermas underlines that this is a counterposition to the principle of *auctoritas non veritas facit legem* (authority, not truth makes law) and prepared the way for *veritas non auctoritas facit legem* (truth, not the authority makes law). In fact, Kant provided a reputation to reasoning according to rules of morality, by refuting the Hobbesian suggestion for establishing the peace by monopolising the power in one hand, to the cost of neutralising any possible social diversification. Reasoning according to the rules of morality has its reflection on the political realm in the form of practical reason, and even political legislation was asserted to be morally subordinated to the control of practical reason. This subordination could be possible as private people form a public by critical use of reason and the state articulates with society through this public sphere (Habermas, 1992a: 104). Habermas remarks that Kant's principal of publicity guarantees the convergence of politics and morality

These issues of morality, use of reason and publicness are also crucial for the way Kant conceptualises the Enlightenment. In a general perspective, Enlightenment, liberation from the self-incurred tutelage, is an objective progressive tendency toward a perfectly just order. And such a progress could just be accomplished as enlightenment is mediated by the public sphere. This

mediation is substantial because in Kant's perspective, liberation of public from tutelage is more possible than the self-enlightening of a single individual. When the freedom is provided, Enlightenment "is almost sure to follow" (Habermas, 1992a: 104). Habermas declares that, in regard to enlightenment, therefore, thinking for one self is coinciding with thinking vocally, so does the use of reason with its public use. In the same standpoint, reason had to be authorised to speak out publicly, independent of the interest of the government, in order for the truth to appear. This is simply the public use of reason, opposite of its private version where the argument/judgment is excluded and the obedience dominates the realm. For Kant, the realm of public use of reason should be completely free (Habermas, 1992a: 106). Moreover public use of reason explains the transformation of "human beings" into "citizens"[7]: citizens come into view just when humans form a public to engage in rational-critical debate concerning the common problems of all. This public sphere of citizens guaranteed by the republican constitution functions as the organisational principle of the liberal constitutional state. This process also corresponds to the elimination of all "rights by birth", as citizen's liberties were safeguarded by the general law in its relation with citizen's equality.

However this equality is mostly valid at an abstract level and does not apply for the daily life. The specific social, suggested by Kant, for being a participant of public sphere, demonstrates the connection problem between abstract and concrete realms. In Kant's perspective, only *property-owning private people* were admitted for a public political debate, where critical reasoning is employed. The reason behind this norm is the assumed to be autonomy implanted in the sphere of commerce. Kant argues that unique

[7] Kantian transformation of "human beings" into "citizens" indicates the crucial distinction between Kant and Rousseau. Habermas states that, in Rousseau's understanding the social contract demanded self-surrender without reservation, and thus "human beings" (*homme*) was absorbed by the "citizens" (*citoyen*) (1992a: 97). As a natural outcome Rousseau's model does not leave space for public discussion. On the other hand, in Kant's model, transformation of "human beings" into "citizens" does not mean an absorption, on the contrary, this means giving a higher quality to "human beings" by making them able for a process of public use of reason, in a total freedom atmosphere.

qualification needed to be considered as citizen is being the master of his own (*sui iuris*), which is possible by having some *property* (Habermas, 1992a: 109-110). Kant could be interpreted in a less rigid way by referring to his statement that property may include skill, trade, fine art, or science; and following the same precaution, he ends up by making artisans equal with large landowners. But, despite this possibility of less rigid reading, Habermas remarks that, with this formulation Kant excludes laborers, who have only their labor power as their sole commodity, from the publicness, and property-owning private people are allowed to monopolise the voting enfranchisement, which is celebrated as the best example of public use of reason. Habermas maintains that, in Kant's understanding this restriction was compatible with the principle of publicity only if, equal chance of free competition in market and in acquisition of property have been achieved. According to Habermas, such exclusion is not a violation of the principle of publicity. The reason is the following:

> The fiction of a justice immanent in free commerce was what rendered plausible the conflation of *bourgeois* and *homme*, of self-interested, property- owning private people and autonomous individuals per se. The specific relationship between private and public sphere, from which arose the duplication of the selfish *bourgeois* in the guise of the unselfish *homme*, of the empirical subject in that of the intelligible one, was what made it possible to consider the *citoyen*, the citizen eligible to vote, under the twofold aspect of legality and morality. (Habermas, 1992a: 111)

Kantian way of reasoning is possible only when the conversions of private vices into public virtues are accepted as possible. Such a framework is certainly problematic. Habermas touches upon Kant's own unsatisfactoriness about the distinctions he himself developed, which proves the bigger anxiety of Habermas about exclusionary aspects of bourgeois public sphere.

2.3 Critique of Publicness and Decline of Public Sphere

2.3.1 Hegel's Critique

In the first chapter of *Knowledge and Human Interests*, and in last chapter of *Moral Consciousness and Communicative Action*, Habermas feels that a confrontation with Hegel's critique of Kant is needed.[8] In his article "Morality and Ethical Life: Does Hegel's Critique of Kant Apply to Discourse Ethics?", appeared in *Moral Consciousness and Communicative Action*, Habermas outlines Hegel's critique in four points: objection to the *formalism* of Kantian ethics, objection to the *abstract universalism* of Kantian ethics, attack on the *impotence of the mere ought*, and lastly objection to the terrorism of *pure conviction* (*Gesinnung*) (Habermas, 1990: 195-196). In that book, where he develops his contribution of "discourse ethics", his aim is offering a moral theory to which Hegel's critique of Kant does not apply. However in *the Structural Transformation of the Public Sphere*, Hegel's critique of Kant presented by Habermas with an emphasis on the public use of reason. After he outlined the critique, he matches it with the declining period of the public sphere. On that account, it may be argued that, while Kant's perspective corresponds to the theory working for the raising -or classical- period of

[8] In effect, such kind of theoretical position of acknowledging Hegel's critique of Kant, which for some a premium synopsis of whole history philosophy, is a choice that links Habermas to the first generation of Critical Theory/Frankfurt School. In his classical article, "Traditional and Critical Theory", Horkheimer appreciates Kant as he understood the deeper unity of fact and theory, but finds it also unsatisfactory as he could not describe the universal subject, that he claimed there existed. According to Horkheimer, Hegel escaped this embarrassment by postulating the absolute spirit as the most real thing of all. For Hegel, the universal has already adequately evolved itself and is identical with all that happens. In this framework, being critical is no more a must for reason, as Hegel comprehends reason as affirmative. Horkheimer finds Hegelian solution as a private assertion, which seems a personal peace treaty between the philosopher and an inhuman world. And then he formulates critical theory as a theoretical entity beyond Kant and its Hegelian critique: conceiving of reason as a determiner the course of events in a future society is a hypostatisation of Logos, to the level of a camouflaged utopia. "In fact, however", he declares his own position as "the self-knowledge of present-day man is not a mathematical knowledge of nature which claims to be the eternal Logos, but a critical theory of society as it is, a theory dominated at every turn by a concern for reasonable conditions of life" (Horkheimer, 1972).

publicness, Hegel's contribution corresponds to the theory mastering the declining period of public sphere.

Habermas describes the basic blueprint of public sphere by stating that, in -especially German- daily usage of the term the public use of reason (*öffentliches Räsonnement*), always carried a double connotation: one is positive, about the appeal of reason and the other not so, about the its disdainful disparagement as merely malcontent griping (1992a: 27). Kant, by using "reasoning" (*räsonieren*) and "use of rational argument" (*Räsonnement*) naively in the Enlightenment sense, stood on the side of the positive connotation. However Hegel crossed it by positioning himself on the other side, as he downgraded the use of rational arguments, and especially their public use (Habermas, 1992a: 256). Hegel remained doubtful about the concrete universality of the reasoning thought (*das räsonierende Denken*), as mere use of the understanding (*Verstandesbetrachtung*). Habermas remarks that Hegel inserted to the general picture the significance of external factors, both ceasing the universality and shaping the reasoning process accepted as universal. For Hegel, the imperativeness of duties or what has to be done do not "not come from the notion of the thing as determined in and for itself", but there are external reasons classifying what is right or wrong, useful or harmful.

Hegel's position towards the public opinion covers both respect and despise. This position is somewhat close to Kant's, as he insists on the idea of the realisation of reason in a "perfectly just order", where justice and happiness coincide. But for Hegel, critical political debate of the public, or the public opinion, is not an adequate entity that could guarantee such an agreement. Therefore he concludes that, whether in life or in science, achieving anything great or even rational, requires being independent of public opinion. In this statement, Hegel revives the meaning of public opinion, equalising it completely to mere subjective opinion. As an outcome of this

revival, Hegel locates science outside and totally distinct from the domain of public opinion. He states that:

> (t)he sciences, however, are not to be found anywhere in the field of opinions and subjective views, provided, of course that they be sciences in other respects. Their expositions is not a matter of clever turns of phrase, allusiveness, half-utterances and semi-reticences, but consists in the unambiguous, determinate, and open expression of their meaning and purport. It follows that they do not fall under the category of public opinion. (quoted by Habermas, 1992a: 118)

For Habermas, this demotion or underestimation of public opinion is a necessary consequence of Hegel's prejudice about disorganised bourgeois society. He recalls that Hegel was insistent on the profound split of bourgeois society, which is not annulling the natural inequalities, but on the contrary augmenting those natural inequalities to an inequality of skill and resources, and even to one of moral and intellectual attainment. Hegel's theory aims to develop a diagnosis concerning the conflict of interest, which demonstrates the particularist nature of the political reasoning performed by property-owning private people. Related to that, public opinion constituted by private people assembly, is not recognised by Hegel as a basis of unity and truth; and it is labelled as a subjective opining of the many. Following this diagnosis, Hegel criticises the idea of public sphere of bourgeois society, because the bourgeois society, due to its anarchic and antagonistic nature, could not actualise a domain free from domination and interference of power. However, only by such a milieu functioning as a basis, private people could translate political into rational authority. This position implies that, in Hegelian sense, different from Kant's perspective, private vices do not produce public virtues. Hegel's difference with Kant, also appears in his understanding concerning the state. In Hegel's words, the reason, which was realised in the existing state, still keeps its character of personal domination, opposed to Kant, who has foreseen

a dissolution of this character in the medium of publicity. Hegel underlines that "subjectivity is manifested in its most external form as the undermining of the established life of the state" (Habermas, 1992a: 121), where subjective freedom attained to its entity in the subject of the monarch. Because of his subjective nature, monarch is unable execute the right of the public. This also opposed to Kant who touched upon the possibility of unification of the ends of all as a possibility in such legal entity.

Hegel finds a solution to the problem of the ambivalent nature of public opinion, which is an indispensable outcome of the disorganised bourgeois society. Indeed, his solution is summarised in corporatism. He questions what a state would be like, if it is confused with bourgeois society whose specific end is laid down as the security and protection of property and personal freedom? His observation indicates that there is a general tendency about bourgeois constitutional state. Although constitutional state is a possible medium for private people to transform domination into reason according to the guidance of public opinion, it is absorbed by civil society and confused with it. For Hegel, such kind of confusion is dangerous, because it transports directly the disorganisation of bourgeois society to the level of state. The way of preventing this danger is establishing corporate bonds. The significance of those corporate bonds lay in providing a control mechanism. As a rsult by reading *Philosophy of Right*, Habermas concludes that Hegel has a clear divergence from left liberalism (1992a: 119-120). In Hegelian understanding, control is needed to decrease the risk of uncertainties caused by combating interests. Public opinion had its own consciousness in the assembly of estates, where the occupational status organisations of bourgeois society participated in legislation. But for Hegel, the publicity of Estates Assemblies, has not the function of linking parliamentary discussions with the critical political debate of a general publicness. But they are assumed to be able criticising and checking the government power. Its function is rather integrating the citizens

into the system dominated by state from above. Hegel conceives the public sphere as a "means of education", far from being a principle of enlightenment and a domain where reason finds its actualisation. In this sense, with this "means of education", the public, first reaches thoughts that are true and attains insight into the situation and concept of the state and its affair, and by these people become able for a rational estimate. Second thing that should be learned by the public within the system of publicity of estates is respecting the work, abilities, virtues, and abilities of ministers and officials. Hegel also adds that these abilities gained by publicity are potent means of development.

Hegel proposes a corporatist model to solve the disorganisation problem of bourgeois society, and in a way he conceptualises corporatism as an alternative to public opinion or public discussions. Moreover Hegel sees the true science or anything aiming to reach the truth as something to be distinguished from public opinion (Habermas, 1992a: 121). In Hegel's perspective, Habermas perceives two barriers to publicness: science, which will be his concern soon after *The Structural Transformation of the Public Sphere*, and corporatism, which will be one of his focuses in his late period, in *Between Facts and Norms*, with a special emphasis on neocorporatism. In this late work, Habermas discusses Willke's neocorporatism (1998a: 342-351), which looks like very similar to Hegelian *Ständestaat*, with the exception of its monarchical head. For Habermas Willke's proposition is crucial as it is a systems-theoretic adaptation of the Hegelian *Ständestaat*, which takes the place of the democratic constitutional state and undermines its individualistic basis of legitimation. This discussion will be the focus of the fourth chapter of this study.

2.3.2 Marx's Critique

When Habermas's view on Marx's notion of publicness is taken into consideration, it is observable that, the difference between Hegel and Marx is related to the position vis-à-vis corporatism: In Habermas's words,

> the resuscitation of an estate-based constitution such as the Prussian one glorified by Hegel attempted to rescind, by means of a 'reminiscence', the factually completed separation of state and society. Marx realised a 'republic', precisely the form of the constitutional state predicated on civil rights, had to emerge wherever 'the private spheres have achieved an independent existence'. (1992a: 123).

The twofold position towards public opinion observed in Hegel, covering both respect and despise, has a reflection on Marx's position towards publicness. Marx, who states in a humorous way that, "the political spirit the community sphere, the *general* concern of the people, in principle independent from these particular elements of civil life", has a ironic treatment for public sphere. Because, to some extent following Hegel, he does not see the possibility of the independence of a public opinion of the property owning private people engaged in rational-critical debate. However, Marx does not deny that bourgeois public sphere is a serious fact, and especially politically advanced position of Great Britain and France convinced him to that idea. Nevertheless, in the final analyses, for Marx public opinion is a false consciousness, because "it hid before itself its own true character as a mask of bourgeois class interests" (Habermas, 1992a: 124).

There are two basic features that lead Marx to regard public opinion as a false consciousness. First is the universal accessibility of public sphere, which is false because the public could no longer claim to be identical with the nation, or with all of society. Second, it is again false to presume that "property owners" are equitable with "human beings". This second point is related to the fact that, when they enter a human interaction, particular interest seeking property owners, do not see in other men, the *realisation* of their

human liberty, that can flourish in an interaction process, but rather the *limitation* of their liberty. In effect, the liberty perceived by the average property owners is interpreted by Marx as an unfreedom, because, following the classical definition of false consciousness, they become unable to realise their function as the agents in the process of capital valorisation, rather than developing into the "actual and authentic" human being. Due to this reality of unfreedom, Marx concludes that the medium created by private people, where they reached agreement through discussions, arguments and counter-arguments, may not be accepted as equal with what is right and just. This means that Marx proposes the inequality of publicness as a way to reach the truth, and by this proposition he also refuses the central identification of public opinion with reason. Marx underlines basically two factors to justify his propositions: first is that the power relations are not totally neutralised in the reproduction of social life; second, civil society rested on force (Habermas, 1992a: 125). For Marx, as a consequence of these two factors, the dissolution of the feudal relations of domination in the medium of the public engaged in rational-critical debate did not amount to the purported dissolution of political domination in general, but brought only its perpetuation in different appearance.

2.3.3 Decline of the Public Sphere

After his discussion on Hegel and Marx, where he confronts with their critique of publicness, Habermas keeps drawing his own framework by demonstrating the historical decline of the public sphere. This declining era is the end of the classical period of public sphere, which corresponds with Hegel's and Marx's criticisms, which help to understand why the classical period could not endure.

For Habermas the declining period could be understood by reference to the structural transformation of the relation between public sphere and private realm, and this transformation means a tendency toward a mutual infiltration of public and private spheres (1992a: 141-143). This infiltration process had

occurred opposed to the expectation of Marx. Marx was expecting that the propertyless masses would force to translate economic conflicts into political ones. However, Habermas observes, the arrival of these masses to political public sphere opened the way for an interlocking of state and society, which damages the basis of publicness. Before this damage, publicity was the guarantee of linking rational-critical public debate with the legislative foundation of domination. But after this damage, the publicity is reduced to an entity just needed for the creation of an aura of good will. Domination of nonpublic opinion, which aims the manipulation of the public and creates a legitimation, becomes more observable. Habermas states that this is the replacement of critical publicity by manipulative publicity (1992a: 178). In the mind of Habermas, the declining period of publicness has also a face appearing in the loss of homogenously composed private citizens, which were the substance of former rational-critical debate. With this loss, an invasion of public sphere by the competition between organised private interest occurred. This invasion was signifying that privatised interests were no more neutralised in the class common denominator. Habermas is clear in stating that, the laws created in such an atmosphere could not be labelled as "truth", because this process had considerable damages on the parliamentary public, the place in which "truth" would have to present its credentials, as well. At this point, Habermas agrees with Leibholz, who argues that discussion loses its creative character (1992a: 239). The debates in parliaments are no longer aiming to convince its members but aiming to reach directly the voters. This assumes a plebiscitary character to the parliamentary democracy (Habermas, 1992a: 211).

To understand better how Habermas describes the declining period of the public sphere, some more discussions are needed. A key concept employed by Habermas (1992a: 142), while mapping the features of the declining period is "refeudalization", implying the end of a common publicness, and raising of the certain private interest focuses, distinct from each other. Refeudalization

has also a relation with the increasing state intervention in different areas. With the institutionalisation process of capitalism demand for the increase in the functions of the state machinery developed. In some early phases, free market system was more likely to produce horizontal, egalitarian relationships, between property owners. Nevertheless, because of the puissance of imperfect competition, vertical relations, processes of concentration, and one-sided dependencies became more commonly beheld, the coercive constraints of the capitalist societies were consolidated. This made the need for a strong state more urgent. Habermas (1992a: 144) agrees with Neumann, who rejects the liberal self-interpretation of state's role as a "nightwatchman", and emphasises that the role of state had always been as strong as the bourgeoisie required.

Another point, indicated by Habermas, about the declining period of the publicness, still related to the concept of refeudalization, is the failure of the project of relieving the public sphere of the intrusion of private interests. This failure is basically caused by the privatization of interests. Once they are privatised, they were themselves drawn into the conflict of organised interests (Habermas, 1992a: 145). As it is already declared above in the discussion on Hegel, this issue of organised interest is one of the major obstacles in front of public reasoning process, especially when it arrives to a degree of institutionalisation as in the case of corporatism. According to Habermas, this appears mostly in the contact of citizens with the state. Habermas defines these contacts as unpolitical and argues that they are predominantly based on demands. In the political environment where public sphere had lost its effectiveness, "political" interests of citizens are reduced primarily to occupational branches, and delegated to large organisations (Habermas, 1992a: 211). This is sort of corporatism, and in this corporatist milieu vote is what is left for personal choice and act. As vote is the only item left for personal choice, it became impossible to talk about political realm, functioning as a sphere of ongoing participation in a rational-critical debate about common

issues. Such a political environment where no room is left for rational-critical debate, voting process is unfit to substitute this gap: in Habermas's words, electoral contests are no longer the outcome of a conflict. This is what is meant by plebiscitary democracy.

Debating, as the traditional component of the classical period of the public sphere, excluded to considerable extent, from the area of politics, looses its place also in the cultural sphere. Recall that Habermas attributed a pivotal role to the world of letters, as an originator of publicness. In the era of decline these happens as the replacement of a culture-debating (*kulturräsonierend*) public, by a culture-consuming one. Habermas declares that in classical period, rational-critical debates of private people taking place in the *salons*, clubs, or reading societies were unencumbered by the cycle of production and consumption. Therefore, their character was "political", in its Antique sense. But after the decline of publicness, in more contemporary era, Habermas notices that leisure behaviour become part of the cycle of production as well as consumption, and he labels it as "apolitical", because it is far distanced from a search for a world emancipated from the immediate constraints of survival (1992a: 160-161). Following the end of the classical period of the publicness, leisure constitutes itself as a simple complement of professional activities, a domain for the pursuit of private business affairs; and for that reason it could not be an autonomous milieu, where public communication takes place between private people. This process is also a replacement of rational-critical debate by consumption, as the laws designed to regulate the market and commodity exchange occupy the sphere, which was previously reserved for private people forming a public.

A major focus of Habermas, while discussing the decline of publicness, is doubtlessly mass press. He characterises mass press as a sector, which was formerly making masses able to participate to the public sphere, but after it transformed its nature by commercialising this participation. Habermas

perceives in this process of commercialisation an extension of public sphere; simultaneous with the loss of its political character that is swapped by "psychological facilitation" (1992a: 169) integrated with system of consumption incitement. Since the early cases of press, searching for profit maximisation, the way of increasing the sales is correlated with the depolitisation of the content. This is a process where political news and political editorials disappear, whereas moral topics as intemperance or even gambling become part of press content (Habermas, 1992a: 170). Related to the increase on paper sales, Habermas touches upon the decreasing prestige of the press covering political issues and critical discussions. The reason for that is the culture-consuming public's refusal of heritage derived from old publicness of world of letters.

Habermas stresses that a new obstruction for the public use of reason is the easy made reading by layout of illustrated newspapers. In this new newspaper type, editorial opinions turn to be hidden behind mere or straightforward information, yet despite this covertness they are always perceptible in the decisions about the way of representing the material. And the covertness is functioning the exclusion of the critical debate. In the process of making reading easier, the share of political or politically relevant news decrease in two interrelated dimensions: first following the listing of Habermas public affairs, social problems, economic matters, health, education and likely topics (delayed reward news), are pushed back by comics, corruption, accidents, sports, and social events; second, the first group is much less read with respect to the second one. With the increasing hegemony of the second group of news, the style of new stories is more commonly accepted, and consequently the distinction between fact and fiction is more usually disregarded (Habermas, 1992a: 170).

The new media enchant the eyes and the ears of the public, and at the same time damage the tutelage of the audience, by not allowing them to say

and to disagree. As disagreeing, or refusing the passive position attributed to masses of audiences the world fashioned by the mass media is a public sphere in appearance only. And as Bahrdt puts forward, and Habermas agrees with his idea, all of these changes make the public sphere a mass (1992a: 159).[9]

A final aspect should certainly be kept in mind in the declining period of the publicness, concerning the private sphere. The private sphere, the source of private people constituting the publicness of the classical period, is also weakening, parallel to the increasing ineffectiveness of publicness. The weakening process occurs as the private sphere is encapsulated to the inner areas of family; and this is a family defined by marriage, lost its authority. Due to the unauthoritative family domain, private people withdrew from their socially controlled roles as property owners into purely "personal" ones of their apolitical leisure time, and enter into the influence of semipublic authorities, without having an institutionally protected domestic domain. The declared privacy is not any more so private, is not a deeper inner life, preparing private people to be independent both in public and private spheres. For Habermas, the key to observe this fact is new type of leisure behaviour (1992a: 159).

At this point, it seems safe to argue that, Habermas's account about the shrinking period of publicness is compatible with Hannah Arendt indication on the declining public sphere. Arendt provides a remarkable description of this new era concerning the public sphere, over the *petit bonheur* of the French people:

> Since the decay of their once great and glorious public realm, the French have become masters in the art of being happy among 'small things', within the space of their own four walls, between chest and bed, table and chair, dog and cat and

[9] At that point, Habermas refers to H. P. Bahrdt's article entitled "Von der romantischen Grossstadtkritik zum urbanen Städtebau" appeared at *Schweizer Monatshefte* in 1958. Recall that Bahrdt is also the author of *Öffentlichkeit und Privatheit als Grundformen städtischer Soziierung* (Habermas, 1992a: 280).

> flowerpot, extending to these things a care and tenderness which, in a world where rapid industrialization constantly kills off the things of yesterday to produce today's objects, may even appear to be the world's last, purely human corner. This enlargement of the private, the enchantment, as it were, of a whole people, does not make it public, does not constitute a public realm, but, on the contrary, means only that the public realm has almost completely receded, so that greatness has given way to charm everywhere; for while the public realm may be great, it cannot be charming precisely because it is unable to harbor the irrelevant. (Arendt, 1998: 52)

Habermas's analysis is overlapping with Arendt's, by expressing a new type of private sphere, unable to produce a publicness. And the private sphere, in Arendt's words the new sphere of the *petit bonheur*, is distant from being a place of reading or discussion place for the world of letters. This is the milieu where Habermas observes the synopsis of the disintegration of the public sphere. There is a split between small groups of specialists who use their reason nonpublicly, and the great mass that consumes what is offered them uncritically. This split is damaging the form of communication specific to publicness. But for Habermas, there are some newly emerging obstacles for publicness, especially related to this issue of specialists and increasing dominance of science. This is the focus of the next subsection.

2.4 Further Barriers to Publicness: Scientization and Technology

After the dominance of technology has been consolidated in the West, some controversies occurred in the realm of social theory. From early romantics to Nietzsche, from Heidegger to many other thinkers of the twentieth century, including Habermas, several names had spent considerable energy on the question of technology and its effects on man. Whereas, for Marx science and technology were progressive forces, needed for the creation of material

conditions for capitalism's self-overcoming, Lukács appears as an important figure challenging this position, arguing that science and technology also assume ideological functions in capitalism, contributing to an ideological distortion, named by him as "reification". Pippin says that Horkheimer and Adorno, mostly by developing a Nietzschean theme, radically extend this sort of critique. Pippin also adds that Habermas, together with Arendt, should be noted as a writer who has seen the depolitization of public life, in narrowing down the scope of "public debate" by an emphasis on policy issues as technical issues (1997: 185-206). The focus of Habermas on the matter of science and technology can be followed in his three articles, all written in the 1960s: "Dogmatism, Reason, and Decision: On Theory and Praxis in Our Scientific Civilization" ([1963], 1973: 253-282), "The Scientization of Politics and Public Opinion" ([1968], 1970a), "Technology and Science as 'Ideology'" ([1968], 1970b). Although his position is much more optimistic about the opportunities offered by technical progress, (in comparison to other figures of Frankfurt School) and he thinks that the problem with technological modernization has little to do with technology itself (Pippin, 1997: 201), in his meditation on technology Habermas follows the first generation of Frankfurt School, including Marcuse, with a critical dialogue that he developed with Weber's notion of "rationalisation" coupled with Lukács's reification[10].

Before focusing on the influence of science and technology on the depolitization of publicness, it is necessary to look to the relation of theory and praxis, and its nature in the technical age. In "Dogmatism, Reason, and Decision: On Theory and Praxis in Our Scientific Civilization" (1973: 253-282), Habermas discusses the following paradox: the more the growth and change of society are determined by the rationality of sciences and technics

[10] Reification, the notion derived by Lukács by following Marx's emphasis on the subordination of man to the machine and human effacement by their labour, indicates how man's own activity, the labour becomes something objective and independent of him, something that controls him by virtue of an autonomy alien to man (1975: 83-110), has significance to understand Habermas's argument on science and technology.

produced and conducted by the specialists, the human civilisation is less rooted in the knowledge and conscience of its citizens. As technics become predominant, its connections with non-specialists people weaken. This paradox determines also the theory-praxis relations. In an industrially advanced society, science, technology, industry, and administration are locked to each other, and due to this interconnection technical application is reduced to empirical science with concrete/immediate return. Despite those facts, Habermas holds his belief in enabling nature of science, especially its potential for enlightened action, but the problem is that the critical potential of science is reduced to the powers of technical control. Science produces just technical recommendations without any answer to practical questions: technical recommendations are spreading as the sole admissible "value" (Habermas, 1973: 264). Such an exclusion of practical realm makes theory-praxis relation doubtful, even as a possibility. Consequently socially effective theory is directed toward neither the consciousness of human beings nor common discussions. This means for Habermas, that emancipation by means of enlightenment -the potential of science- is replaced by instruction in control over objective or objectified processes.

Habermas states that in the era of technical control, different aspects of the praxis of life are subordinated to the utilisations of means, for the sole benefit of economic efficiency. This process rules out competing perspectives of praxis which contain discussions on common concern. This is a primary point where Habermas sees the effect of technology in the depolitization of publicness: according to the criteria of technological rationality, agreement on a collective value system can never be achieved by means of enlightened discussion carried on in public politics. It becomes more and more difficult to reach a consensus rationally agreed upon. In such a context, only summation and compromise and summation remain as possibilities (Habermas, 1973: 271).

In “Technology and Science as ‘Ideology’” (1970b) Habermas develops his analysis. In this article his starting point is Marcuse’s thesis about the actual function of technology and science to legitimise the political, as new forms of ideology. Habermas expands Marcuse’s argument by underlining a tendency that he labelled as “the scientization of technology”. According to this tendency, scale economics perspective of industrial era fused research, science, technology, and industrial utilisation into one system. And the unpredictable advance of this fusion changed the conditions of Marx’s labour theory of value. The weight of unskilled labour in any economical equation had decreased, as well as “scientific-technical progress has become an independent source of surplus value”. As a result, Habermas mentions that this new ideology become a background ideology which is depoliticising the masses.

In this depolitisation period a key element is the elimination of practical issues. By repeating the argument voiced in “Dogmatism, Reason, and Decision: On Theory and Praxis in Our Scientific Civilization”, Habermas says that government activity is restricted to administratively soluble technical problems, which make practical question disappearing from the agenda. By this removal technical problems are also detached from the realm of public discussion. As the practical questions are excluded from publicness, it is no longer possible to talk about the political function of public sphere. He states that rendering practice does not lead automatically to a new type of politics. The new type, the legitimising of the actual power, requires its own legitimacy. For Habermas the legitimacy needed is provided by having technology and science take on the role of an ideology as, Marcuse suggests (1970b: 103-104).

This ideology shifts the social framework from a communication/discussion based one to a scientific model. Habermas names the characteristic of this new ideology as “purposive-rational” or “instrumental

and strategic". It replaces most of the institutional framework constituted by human interactions. In purposive-rational model of socialness, technical rules repress social norms. With this shift some peculiarities of the intersubjectively shared ordinary language are replaced by context-free language. And, while the former interactive social model was based on emancipation, individuation and extension of communication free from domination, the newer social model, the instrumental, brings growth of productive forces, extension of power of technical control (Habermas, 1970b: 93). Habermas claims that in the logic of purposive-rational action, the conduct of rational choice is governed by strategies based on analytic knowledge. This model works with defined goals under given conditions. As in modern societies defined goals and emphasis on efficiency dominate the whole agenda, the democratic process of decision-making about practical problems loses its power. In such a context the raising alternative is plebiscitary decisions, which is just a kind of technocracy.

According to Habermas, this technocratic social setting corresponds to the self-reification of man. The priority of the new system is not any more social integration, composed of intersubjectivity of ordinary language, reciprocal expectations about behaviour, social norms or even emancipatory potentials, but rather the system integration/maintenance. With the system maintenance, the private form of capital utilisation and a political form of distributing social rewards that provides mass loyalty appears as the main concerns (Habermas, 1970b: 112). A substantial example, explaining best the passage from social integration to system integration, is the room of ethics in these two different social settings. Ethics, a significant life category for social integration is repressed by technocratic consciousness. The positivist way of thinking and perceiving all world events renders dead the categories like ethics, difficult to make parallel with technical control. By this way the subject left for public discussion become even fewer. This is an important reason for

diminishing political realm. The depolitization of the masses is human's self-objectification and the technocratic consciousness is indeed legitimising such minimisation of public sphere.

What Habermas suggests as an alternative to technocratic mentality and practice is the "pragmatistic model", appearing in his article in "The Scientization of Politics and Public Opinion" (1970a). In this article Habermas states that, both decisionistic model and technocratic model or expanded decisionistic model are offering wrong ways of scientization of politics. Decisionistic model argues for the necessity of decisions, which must remain basically beyond public discussion. Its theoretical framework reduces the process of democratic decision-making to a regulated acclamation procedure of elites alternately appointed to exercise power. However Habermas also talks about the replacement of decisionistic model by technocratic one. Technocratic model assumes a reduction of political power to rational administration at the expense of democracy (Habermas, 1970a: 64). Objective necessities become the main criteria for politicians, and in such an environment there is no need for functioning public, other than legitimise the administrative personnel, at best. This model has in its baggage the positivistic separation of theory and practice. Returning back to the theory-praxis problem once again, this separation is crucial for the decline of publicness. In Habermas's words:

> The depolitization of the mass of the population and the decline of the public realm as a political institution are components of a system of domination that tends to exclude practical questions from public discussion. The bureaucratised exercise of power has its counterpart in a public realm confined to spectacles and acclamation. This takes care of the approval of the mediatized population. (Habermas, 1970a: 75-76)

Habermas believes that, opposed to these wrong ways of associating technology and politics, a better process of scientization of politics can be achieved by the ideal conditions of general communication extending to the entire public free from domination (1970a: 75). In his words, in the last analysis, the -desirable- process of bridging science and politics is (or ought to be) related to public opinion. For that reason, the pragmatist model gives importance to human interaction in every aspect of life, as well as politics. The basis of the pragmatist model is the replacement of the strict separation between the function of the expert and the politician with a critical interaction (Habermas, 1970a: 66). Habermas sees reciprocal communication both possible and necessary, through which scientific experts advice the decision-makers and politicians consult scientists in accordance with practical needs. So the model does not object the idea of rationalisation, but just the opposite. By aiming an adequate relationship of science and technology with politics a correct scientization of politics is presumed (Habermas, 1970a: 67). The pragmatist model is necessarily related to democracy. And this relation is mostly based on the fact that this model does not cover technical rules, or objectified goals for system maintenance, the key elements of other models. However pragmatistic model is based on a consciousness that can only be enlightened hermeneutically (Habermas, 1970a: 75). This shows the emphasis given by Habermas to human interaction, not bounded by formal purposive rationality. Rather, the model gives priority to the articulation in the discussion (discourse) of the citizens in a community, without the predefined hegemony of experts. The main focus of such discussions should be the direction of technical progress, on the basis of practical needs. On this account, the privilege is taken from independency of technology and given to the practical needs, discussed in a hermeneutical manner. Thanks to such a discussion environment the relation of sciences and public opinion could be constructed, and this would be also constitutive for the scientization of politics. For

Habermas, such a perspective would constitute a counter-tendency to the decline of publicness, and it would revitalise the inert public sphere.

2.5 Insufficiency of Public Sphere as a Level of Analysis

As it seen in the previous section, towards the end of the 1960s Habermas no longer treats public sphere as the real focus of his analysis, but rather gives importance to publicness as it reflects the consequences of other changes or shifts in social setting. Yet, overall, as a consistent, and permanent theme his major concern seems to be human interaction. The priority given to interaction becomes apparent in his communication theory. The roots of Habermas's focus on communication theory could be followed both in "The Scientization of Politics and Public Opinion" ([1968], 1970a), "Technology and Science as 'Ideology'" (1970b).

For Habermas, the new ideology of technocratic model has effects on the basic condition of human cultural existence, that is language; or in other words in communication by using ordinary language, which determines socialisation and individuation. Technology and science internalised by technocratic model obliterate the linguistic possession of communicating individuals. Habermas summarises this fact in the dichotomy of purposive-rational action and communicative action. By purposive-rational action, sometimes summarised as *work*, he understands either instrumental action or rational choice, or their conjunction. It is mostly governed by technical rules of empirical knowledge. Defined goals, precise expectation about efficiency and strategic behaviour are the key constituents of this type of action. On the other hand, by the term communicative action, sometimes summarised as *symbolic interaction*, Habermas understands basically a model of dialogue, where the voices of each part is equally well heard. For that reason it necessitates two acting subjects. Communicative action is mostly governed by norms, fixed

after a process of dialogue. These norms function in communicative action model, as technical rules function for purposive-rational action model. However their nature are opposite: the unique validity claims for technical rules and such kind of strategies are empirically true or analytically correct propositions. But in the communicative action, the validity of social norms is grounded only in the intersubjectivity of the mutual understanding of intentions (Habermas, 1970a: 79-80; 1970b: 113). In his work Habermas talks about the purposive-rational action as the type actually dominant, and the communicative action is suggested as an alternative.

By shifting to an analysis of language and communication Habermas does two things at once. He argues for a critical theory of society can no longer be constructed in the exclusive form of a critique of political economy, and he tacitly presupposes that publicness, as a level of analysis is not so fertile. He needs a macro level of analysis, a more comprehensive outlook, covering wider aspects of human life, that is communication, the centre of the next chapter. Consequently, in the 1960s Habermas performs a historical analysis of the rise of public sphere. While he was employing such a historical analysis, it could be argued that his aim was to observe how the question of bridging theory with praxis was solved in a specific period of time. Needless to mention, his analysis was not a simple collection of concrete facts about public sphere; he also provides an account about how political philosophy of this specific period did perceive the idea of publicness. He discusses both the theory of publicness, appearing as the Kantian principle of public use of reason as well as the its critique, apparent in Hegel's contribution. By giving some worth for the critics, Habermas moves to analyse the decline of the public sphere. And he concludes his period focused on publicness by focusing on further barriers to publicness, namely science and technology.

CHAPTER III

THEORISING HUMAN INTERACTION AND COMMUNICATION: COMMUNICATIVE ACTION AND DISCOURSE ETHICS

Anthony Giddens notes that Habermas regards himself as Marxist, although his critics on the Left would claim that he has departed from Marxism. The argument of Giddens is important for seeing how the angle of communication dominated the general theory of Habermas. Giddens states that Habermas has attempted to reconstruct the historical materialism, by producing a version of Marxism relevant to today's world (1987: 124). The idea behind Giddens's argument is probably that Habermas, who rejected the reproduction of Marxism on the basis of political economy[11], has replaced the paradigm of production with that of communication. In this way Habermas could find a new way to emancipation, -which is communication-. At that point, it is important to recall that he is a follower of Arendt's argument about labour that it does not direct people to emancipation; so the theoretical replacement of labour by communication becomes a necessity. A theory based on communication has another advantage: by the shrinking of working class, the number of labouring people is decreasing, and in this context, communication turns to be a much more inclusive phenomenon shared by almost everybody.

According to the triangle model suggested in the introduction chapter of this thesis, by the end of 1960s Habermas inserted to his theory a new concept of "communicative action"[12], and by three important books he

[11] Habermas states that a critical theory of society can no longer be constructed in the exclusive form of a critique of political economy (1970b: 101). See also "Between Philosophy and Science: Marxism as a Critique", (Habermas, 1973: 195-252).

[12] It is first used in *On the Logic of the Social Sciences* (1998b, [1967]).

established his theory of communicative rationality. *Communication and the Evolution of Society* (1979, [1976]) is his first book on communication. It is followed by massive, two volume *The Theory of Communicative Action* (1984 [1981], 1992d [1981]). And finally with a new dimension of discourse ethics, and communicative rationality *Moral Consciousness and Communicative Action* (1990, [1983]) was published.

As the triangle model argues, the communication-oriented period of Habermas means an abrupt dissociation from his earlier concern of publicness. It seems possible to outline this separation in two interrelated segments: first, while in his period of publicness the milieu of human interaction was assumed as the bourgeois public sphere, in his communication period language is accepted as the basic medium of communication (McCarthy, 1984: xii). This refers to a linguistic turn. Together with this linguistic turn, Habermas shifted the sources that he enriches his theory. In his period of publicness, he was mostly dealing with historical facts, entering into critical dialogues with classical text of political theory and philosophy. When he starts working on communication he benefits mostly from two other domains: analytical philosophy and linguistics. And what is most interesting, is the fact that while he is examining communication on the basis of analytical philosophy and linguistics, he never acknowledges his earlier contributions on the publicness, the principle of publicity, or public sphere.

This chapter opens with a section on why Habermas has felt the necessity for such shift. In (3.1), four points outlining Habermas's linguistic turn will be presented. The second section will review the way Habermas develops the Universal Pragmatics (3.2). The third section is an attempt to develop an account of communicative action theory, as well as the issue of the lifeworld colonisation will be on focus (3.3). One of Habermas's key contribution, discourse ethics will be examined in the fourth section (3.4). I

will lastly discuss the points of continuity and rapture in Habermas's thought with respect to the earlier concern for publicness and later endeavour of communication theory.

3.1 Towards the Theory of Human Interaction

In this section I will first present Habermasian reading of Hegel's Jena lectures. Then I will discuss Habermas's critique of Kantian foundationalism, and his reading of Arendt's communication concept of power. Lastly I will be discussing the meanings of interpretive as well as linguistic turn in Habermas's theory, as the point of departure from the philosophy of consciousness to a philosophy of language.

3.1.1 Hegelian Emphasis on Human Interaction

"Labor and Interaction: Remarks on Hegel's Jena *Philosophy of Mind*" appeared in *Theory and Practice* (1973: 142-169), it is possible to observe, how and why Habermas did distinguish himself from a Kantian perspective of public use of reason and took a more Hegelian position in terms of human interaction. He summarises the main argument of his article as a refusal of the idea that the spirit manifests itself in language, labour and moral relationships, and rather defending that dialectical interconnections between linguistic symbolisation, labour, and interaction are the determinants of the concept of spirit (1973: 143).

The starting point for Habermas is how young Hegel had conceptualised "I" in the introduction of *Subjective Logic*. This conceptualisation implies both universal and also singular aspects of the "I". For Hegel, "I" is abstracted from all determinateness and content, in the freedom of unlimited self-equality; and therefore it is possible to talk about its universality. It has a unity which appears as abstraction. "I" has the capacity to

dissolve all the determinateness within itself. But it has also singularity, it has immediate negativity which relates to itself, "it is absolute being-determinate which confronts the other and excludes it; individual personality" (Habermas, 1973: 143).

Habermas understands this young[13] Hegelian conceptualisation of "I" as a challenge to Kantian original synthetic unity of apperception. In the Kantian framework, "I" is represented, not a synthesis of universal and singular, but as the pure unity relating to itself. "I" is understood as an entity capable of thinking with all personal inner representations. Such an activity of thinking seems to be an experience of self-reflection. Hegelian challenge to this framework is based on the dialectical relations of universality and singular, which is hidden in the dialectic of the "I" and the "other". "I", being the universal and the singular in one, is the moral totality (Habermas, 1973: 146). This moral totality presupposes the importance of the intersubjective setting of the spirit. Hegel emphasises that, "I" communicates not with itself as its "other", as it is assumed by Kant, but simply with another "I" as its "other" (Habermas, 1973: 144). This forms the basis for Hegelian struggle for recognition.

Habermas's reading of young Hegelian system offers some insights about the shift in Habermas's theory from a philosophy of consciousness to a philosophy of language. In this young Hegelian perspective, consciousness exists and functions as the milieu in which the subjects meet with each other, and without encountering each other they cannot exist as subjects. To follow this idea, spirit is the communication of individuals [*Einzelner*] in the medium of the universal. Habermas also says that, this is related to the individuals, who are speaking with the help of the system of grammar, and this system of

[13] Habermas notes that Hegel soon abandoned the systematics of his Jena lectures and replaced it by the subdivisions of the *Enzyklopädie*, into subjective, objective, and absolute spirit. He continues: "while in the Jena lectures, language, labour and action in reciprocity were not only stages in the formative process of spirit, but also principles of its formation itself, in the *Enzyklopädie*, language and labor, once models of construction for dialectical movement, are now themselves constructed as subordinate real conditions *[Realverhältnisse]*" (1973: 161-2).

grammar makes people able to communicate. For him this does not mean the placement of universality before singularity. But instead, the grammar of a language, as a system of recognised norm, permits the distinctive links between these singularities (Habermas, 1973: 146). This tells, to some extent, why did Habermas leave studying the milieu of human interaction at a public level, and started to concentrate on the inner structure of language. He sees that, the singularities of individuals are actualised -not in the relatively simple mechanism of publicness- but within the complex system of language.

In his article "Labor and Interaction: Remarks on Hegel's Jena *Philosophy of Mind*" Habermas criticises Kant also in terms of the moral system proposed by him. In this criticism Habermas's main focus is Kantian notion of the categorical imperative. He claims that Kant defines moral action according to the principle "to act according to no other maxims than that which can have itself as universal laws as its object" (1973: 150). According to Kantian "I", who experiences thinking as a self-reflection in solitude, universal moral validity is bond *a priori* to general agreement. As a result, Habermas labels moral action in Kant's sense as *mutatis mutandis*, which corresponds to strategic action in Habermasian framework. Strategic action is different from communicative action, because at a decision point between possible alternatives, it proceeds in a monological way, without seeking for agreement. Habermas is dissatisfied with such a moral perspective excluding the human interaction, and he develops his criticism of Kant in terms of foundationalism.

3.1.2 Critique of Kantian Foundationalism

For Habermas, not covering the role of human interaction in the process of reasoning and in the formation of human as an entity, is the first point that

should be criticised in the philosophy of Kant. The second point that should be criticised in the Kantian framework is its foundationalism. Habermas's criticism towards Kant's foundationalism is mostly observable in his article entitled "Philosophy as Stand-In and Interpreter" (1990: 1-20). He states, in this article that, as other grand thinkers, such as Hegel, Marx or others, Kant too, as a *maître penseur*, have fallen on hard times. For Habermas, there are two main reasons that make Kantian view of philosophy, or transcendental justification doubtful, and both of these reasons are related to foundationalism.

First one is directly related to the epistemological foundationalism.[14] Kantian philosophy creates a distinctive domain between itself and the sciences, and by this distinction it appropriates all the authority to itself. Philosophy attributes to itself the right and the authority of showing to the sciences their proper place. On that account Kant accepts philosophy as the unique form of foundational kind of knowledge and he perceives sciences as an inferential type of knowledge. Habermas refuses this kind of usher role (*Platzanweiser*) for philosophy (1990: 2).

The second point of his criticism concerns that transcendental philosophy does not accept to be limited to epistemology. He says that Kant has an understanding of reason that is differentiating several domains of knowledge, reflection and consideration, although their unity is implied. As a result of such a differentiation, practical reason, judgment, and theoretical cognition are isolated from each other. This isolation would be possible by their assumed inferential nature, and it leads to the following result: philosophy attributes to itself, as being the unique foundational knowledge, the role of the highest arbiter of all matters. In Habermas's words "Kant's

[14] At this point, it may be useful to remember the basic definition of foundationalism: it is a view that assumes a two-fold structure for all knowledge and epistemic (knowledge-relevant) justifications; accordingly some elements of knowledge and justification are foundational; and all other elements of knowledge thereof are inferential, in other words inconclusive or uncertain, but they are certainly non-foundational. According to foundationalism, all inferential elements of knowledge are derived ultimately from foundational knowledge or justification (Moser, 1996).

philosophy poses as the highest court of appeal vis-à-vis the sciences and culture as a whole" (1990: 3), who are mere inferential sets of knowledge.

Habermas rejects that philosophy internalises the roles of usher (*Platzanweiser*) and judge. In other words, philosophy should not deal to play the highest arbiter in matters of science and culture (Habermas, 1990: 14). He proposes that it should have the more modest role of stand-in (*Platzhalter*) and interpreter (1990: 4). This is a very remarkable statement about where Habermas place its own work. In one of his interviews he declared that "as opposed to my famous American colleagues such as Rawls and Nozick, I've never had any ambition of sketching out a normative theory" (Habermas, 1994 : 101). As being a theorist who does not constitute its own job as offering a normative standard, his rejection of philosophy as general arbiter seems very consistent.

The article provides also some valuable insights about the question what would the philosophy standing in for: in one word it should replace empirical theories with strong universalistic claims. On that account, what is accredited by Habermas is not a dismissive goodbye to philosophy (Habermas, 1990: 15). He considers field research in cultural anthropology as a serious candidate to succeed philosophy after its demise (1990: 11). But, in terms of his own research interest, he declares that a cooperation between speech act theory and empirical approaches to pragmatics of languages offers a great opportunity. Such a cooperation is important for Habermas, because it is opening the way to philosophy to repair its link with totality, by being an interpreter. Philosophy, both being a stand-in and interpreter, could deal with the question "how can a new balance between the separated moments of reason be established in communicative everyday life?". To cope with such a question, what is needed, according to Habermas, is a simultaneous employment of pragmatism and hermeneutics. He thinks that pragmatism and hermeneutics have joined forces to answer this question, because these joined forces could

attribute epistemic authority to the community, as an intersubjective authority, of those who cooperate and speak with one another (1990: 19). As a result, it seems possible to name this shift in Habermas's thought as an interpretive turn or linguistic turn, in order to differentiate it from its early period of publicness.

3.1.3 Arendt's Communicative Concept of Power

As it is already mentioned in 2.3.3, the works of Habermas and Arendt were compatible in terms of indicating the signals of shrinking public sphere. When later, Habermas distanced himself from his early concern of publicness by focusing on communication, Arendt appears once more as a guiding figure for him. This is observable mostly in the article "Hannah Arendt's Communications Concept of Power" (1977), which appeared before his major work on communication.

Habermas opens the article by contrasting the power conceptions of Weber and Arendt. For Weber the starting point to understand the notion of power is an individual or a group, who chooses the appropriate means to realise a goal, which it has set for itself. Habermas notes that, Weber calls a disposition, over means to influence the will of another, "power". But when Arendt is taken into consideration, she starts with a special emphasis on communication. In Arendt's perspective, the fundamental phenomenon of power is not the instrumentalization of *another's* will, but the formation of a *common* will in a communication directed to reaching an agreement.

At that point, Habermas introduces once more his famous distinction, that will be fully developed in *The Theory of Communicative Action* (1984, 1992d): between purposive-rational action (or teleological action) and communicative action. He relates the first one to Weber's conception of power, and the second to Arendt's, by claiming that the purposive-rational actor is only interested with the success of his action, and therefore adjusting

all means for its individual success, including the threat of sanctions, persuasion, and channeling of choices.

On the other hand, Arendt's communicative model of action is conceivable by making a strict distinction between "power" and "force", and eliminating the second one from the model. When force is eliminated, the major regard of the model becomes the agreement. In communicative action model, agreement is taken as an end in itself and it cannot be instrumentalized for other ends (Habermas, 1977). In Arendt's major philosophical work *The Human Condition*, Habermas sees an anthropology of human action:

> Arendt analyzes the form of intersubjectivity generated in the praxis of speech as the basic feature of cultural life. Communicative action is the medium in which the intersubjectively shared life-world is formed. It is the "space of appearance" in which actors enter, encounter one and another, are seen and heard. The spatial dimension of the life-world is determined by the "fact of human plurality": every interaction unifies the multiple perspectives of perception and action of those present, who as individuals occupy an inconvertible standpoint. (Habermas, 1977).

As a result, it seems fair to argue that Habermas's reading of Arendt, opened a new way for him, in terms of the turning the attention to the problem of communication.

3.1.4 Interpretive or Linguistic Turn

Let me recapitulate three steps of interpretive turn in Habermas's thought: 1) As it is discussed in 3.1.1, Habermas's reading of young Hegel leads him to challenge Kantian framework of personality formation and thinking process. Kantian conception of "I", as an entity experiencing thinking as solitude with all personal inner representations, dissatisfies Habermas. By reading young Hegelian texts, Habermas becomes more convinced about the importance of

linguistic symbolisation and human interaction in determining the concept of spirit, in other words, the personality.

As 3.1.2 argues, Habermas's discontent with Kantian philosophy was not limited to the difficulties of abstracting the thinking process. He also criticised the usher role (*Platzanweiser*) attributed to philosophy by Kant. According to him, philosophy should not be the highest arbiter, or court of appeal, in matters of science and culture. Therefore Habermas proposes that philosophy should have the more modest role of stand-in (*Platzhalter*) and interpreter. These two criticisms directed to Kantian philosophy explain Habermas's departure from the framework of publicness. As it is discussed in length in chapter two, *The Structural Transformation of the Public Sphere* (1992a), as well as other related articles on publicness have been written with a Kantian influence. In his later studies, however we witness the influence of Arendt. Habermas states that in Arendt's analyses of the intersubjectivity generated in the praxis of speech and in her model of search for agreement, he saw the basis for the communicative model of action (1977).

2) At the beginning of the chapter two, it is argued that the question of how to link the theory and praxis (1973: 41-83) was the main motive for Habermas's work on publicness. Once more, a close reading of the article "Some Difficulties in the Attempt to Link Theory and Praxis" (1973: 1-40), verifies that, despite the above discussed changes from the period of publicness to the communication period, the theory-praxis question persists to some extent. In this article Habermas asserts that theories which can serve for the clarification of practical questions are designed to enter into communicative action (1973: 3).

For this reason, Habermas continues to his discussion between action and discourse. As a starting basis, he states that in every speech act the *telos* of reaching an understanding (*Verstaendigung*) is already inherent. Reaching

understanding is possible by communication framed by language. Habermas has an observation that are mostly formed by repressed dialogues. To move from this repressed type of dialogue, Habermas suggests a basic consensus based on the reciprocal recognition of at least four claims to validity. These are: a) the comprehensibility of the utterance, b) the truth of its propositional component, c) the correctness and appropriateness of its performatory component, and d) authenticity of the speaking subject (Habermas, 1973: 18).

With these four validity claims Habermas offers the foundation of his ideal speech situation. At this point, again an intersubjective understanding of truth is dominant. The check mechanism for the claim of authenticity is solely the human interaction itself. "In the interaction it will be shown in time, whether the other side is 'in truth or honestly' participating or is only pretending to engage in communicative action and is in fact behaving strategically" (Habermas, 1973: 18). At that point, all burden of check mechanism is on the discourse, because validity claims can be tested only by discourse. Here it is possible to see Habermas's conception of discourse, different from its general usage with poststructuralist connotation.[15] For Habermas, discourse simply means discussion. Discourses are performances, in which people are seeking to show the grounds for cognitive utterances.

> In actions, the factually raised claims to validity, which form the underlying consensus, are assumed naïvely. Discourse, on the other hand, serves the justification of problematic claims to validity of opinions and norms… Discourse therefore requires the virtualisation of constraints on action… Discourse thereby renders possible the virtualization of claims to validity; this consists in our

[15] To see a general schema of how different theorists, from Saussure to Foucault, conceptualise discourse see (Laclau, 1992). In this framework, it would be useful to remember Fairclough's distinction between critical and noncritical discourse analysis. According to Fairclough (1992), the critical discourse analysis attempts to show how discourse is shaped by power relations and ideologies and constructs identities, social relations, and systems of knowledge; and the noncritical usage of discourse merely describes discursive practices and includes text linguistics, applied linguistics (pragmatics, sociolinguistics), and the empirical sociological approach to discourse as conversation. Although, he used to label all of his career as "critical", Habermas's usage of discourse seems to be "noncritical", if Fairclough's distinction is taken into consideration.

> announcing with respect to the objects of communicative action (things and events, persons and utterances) a reservation concerning their existence and conceiving of facts as well as of norms from the viewpoints of *possible* existence. To speak as Husserl does, in discourse we bracket the general thesis. (Habermas, 1973: 18-9)

3) Once he inserts the notion of discourse to his theory, Habermas begins to reserve a special role for it in his succeeding works. But his shift from the concern of publicness to the issue of communication means not only a change in subject matter, but also a change in the method.

Especially in his first major work *The Structural Transformation of the Public Sphere* (1992a), Habermas had appropriated mostly a historical analysis. As he moves to communication, he starts to build up his theory by different theoretical sources such as analytical philosophy and linguistics. Moreover, the weight of hermeneutics, or more generally interpretative approach increases in Habermas's work. Thus it is possible to call this evolution as a gradual change of focus from historical analysis to hermeneutics as an "interpretive turn".[16]

In 1967, Habermas argued, for the first time, that the social sciences should not abandon the hermeneutic dimension in *On the Logic of the Social Sciences* (1998b, [1967]). According to him any attempt to exclude the interpretation from the sphere of social science would cause serious distortions. The hermeneutical framework means the following: the subject matter of social sciences could be any meaningful expression in forms of utterance, verbal as well as nonverbal expressions, artefacts of any kind as a tool, an institution or a written document. Hence, hermeneutics is not a special way of analysis reserved only for texts. All meaningful expressions of

[16] As a concept "interpretive turn" is contributed by Paul Rabinow and William Sullivan to name the general acceptance of philosophical hermeneutics as a research paradigm in social sciences (Habermas, 1990: 22). Habermas uses this term too to signify the rise of a common attitude in social sciences, the term can also be used to indicate a specific turn in Habermas's own intellectual expedition.

different kinds are identifiable from a double perspective: they are on the one hand observable event, and understandable objectification of meaning, on the other. To be able to describe, explain or predict a noise equivalent to the sounds of a spoken sentence, what is indispensable is the meaning of the utterance. This is the point where hermeneutics is closely linked to communicative action. To be able to understand the meaning of an utterance, and to pronounce a meaningful utterance, one must take part in a communicative action, whether actual or imagined. This is the unique way through which a sentence becomes intelligible for a speech community of the speakers, hearers, and bystanders (Habermas, 1990: 23-4).

With his own understanding of hermeneutics Habermas differentiates his work from Gadamer's perspective. For Gadamer constructing hermeneutics as a method was wrong, because hermeneutics could be at best an art, but never a systematic procedure for collecting and analysing data (Habermas, 1990: 21). Yet, Habermas accepts hermeneutics as a method of social sciences, and by refusing the universalism thesis of Gadamer (Holup, 1991: 67-73), he offers a limited area of investigation for this methodological position.

Indeed, the change in Habermas could not be limited to an "interpretive turn", because it also corresponds to a move from philosophy of consciousness towards philosophy of language and, thereby also implying a "linguistic turn". As Bohman claims, Habermas assumes that a conception of communicative action and intersubjectivity provides the only real way out of the "philosophy of consciousness" and "subject-centred reason" (Bohman, 1996). As it is mentioned above, the influence of young Hegelian texts on Habermas was a sign about the progress from philosophy of consciousness toward a philosophy of language, because in this reading, Habermas became more convinced about the importance of language on the formation of consciousness, and this may

have led him to concentrate more on the role of language in the construction of social reality.

In the preface of *The Theory of Communicative Action* Habermas states that his first aim in theorising the communicative rationality is resisting cognitive-instrumental abridgments of reason (1984: xlii), which is in McCarthy's words, providing an alternative to the subjectivistic and individualistic premises of modern philosophy and social theory (McCarthy, 1984: viii). Since the beginning of the modern period, the Cartesian paradigm of the solitary thinker, the lonely consciousness of *cogito*, dominated the philosophical thought on knowledge and morality. Kantian perspective on thinking as a self-reflection, and the universal maxims created in solitude are the examples of this paradigm. Such kind of methodological solipsism[17] relies on some set of dichotomies as subject versus object, reason versus sense or reason versus desire, mind versus body, self versus other. According to Habermas, the end result of this paradigm was the "desublimation of spirit" and the "disempowering of philosophy" (McCarthy, 1984: ix-x).

Accordingly, Habermas chooses to turn to the paradigm of language for re-empowering philosophy. This is a kind of linguistic turn. But at this point, it is needed to differentiate the poststructuralist linguistic turn from Habermas's linguistic turn.[18] In the poststructuralist linguistic turn, there is general attitude of examining language as a syntactic or semantic system. But, Habermas conceives language as the language-in-use, or speech. McCarthy also notes that with such a turn, Habermas believes that he escapes critical theory from

[17] Solipsism is the doctrine privileging the first person perspective, isolated from any other persons and external things. And the methodological solipsisms is the idea that in order to explain why sentient beings behave in certain ways by looking to what they believe, desire, hope and fear, it is a must to identify these psychological states only with events that occur inside the main or brain, not with external events, because the mind or brain alone are the proximate and sufficient causal explanations (Vinci, 1996).

[18] There is even no need to mention that there is a strict divergence between Habermas and poststructuralist theory. For an account of these two different types of linguistic turn see (Bohman, 1996).

the dead-end-street of the philosophy of consciousness (McCarthy, 1984: xi-xxi).

With his linguistic turn, Habermas differentiates three different functions of the language: first is the reproduction of culture and keeping the tradition alive; second is about the social integration, or the coordination of the plans of different actors in social interaction; third is about the socialisation or the cultural interpretation of needs. Habermas remarks that Gadamer developed his theory of philosophical hermeneutics by focusing on the first function. Mead found his social psychology on the third function. Habermas claims that he developed his communicative action theory out of the second function: social interaction function of the language. The next sections of this chapter will focus on the basic features of his communication theory.

3.2 The Universal Pragmatics

In his article "Hannah Arendt's Communications Concept of Power" (1977), Habermas argues that the way to establish a noncoercive intersubjective relations is not using language "perlocutionarily", but rather internalising an "illocutionary" attitude of language. However in this article, he does not provide the definitions of those terms. In "What is Universal Pragmatics", appeared in *Communication and the Evolution of Society* (1979: 1-68, [1976]), where he argues for the importance of the "universal pragmatics". The task of the universal pragmatics is to identify and also reconstruct the universal conditions of possible understanding (*Verständigung*). In other words, universal pragmatics means the search for the "general presuppositions of communication". This is not anymore the transition from the focus of publicness to the communication-oriented period, but the beginning of his focus on communicative rationality. At the beginning of the article (1979), Habermas states that his aim is to arrive at the general presuppositions of the

communicative action, as a type of action aiming to reach a common understanding; and this means that he excludes from his model other types of social actions such as conflict or competition. He also ignores nonverbalised bodily expressions. His main focus is the actions based on speeches.

3.2.1 The Validity Basis of Speech

After having determined the main focus as the actions embedded in speeches, Habermas first deals with the question of validity. His thesis about "the validity basis of speech" is the following: anyone, who enters to a communication, must raise universal validity claims. The thesis or validity claims apply just for people who are willing to participate in a process of reaching a common -intersubjective- understanding. Also in this article, he re-formulates the points put forward in "Some Difficulties in the Attempt to Link Theory and Praxis" (1973: 1-40). Again there are four basic validity claims: a) *uttering* something understandably, b) giving (the hearer) *something* to understand, c) making *himself* thereby understandable, and d) coming to an understanding *with another person* (Habermas, 1979: 2).[19]

Habermas explains these four claims as follows: the utterer have to prefer a comprehensible (*verständlich*) expression, so that two parties of the communication can understand each other. The intention of the speaker and the propositional content of the utterance are also important. If the hearer is ready to share the knowledge of the speaker, the speaker should express a true (*wahr*) proposition. For the hearer to believe in the utterance of the speaker trustfully, the speaker should have to say his intention truthfully (*wahrhaftig*). Not only the intention, but also the normative background that is enabling the communication are important and should be taken into consideration. According to this principle, the rightness of the utterance -its suitability with the context- is crucial, as the agreement of both parties by the hearer's

[19] It should be noted that, soon in *The Theory of Communicative Action* Habermas will offer a three-fold version of validity claims (1984: 99). This will be discussed in 3.3.2.

acceptance of the utterance is aimed. Habermas remarks that a communication or a communicative action could be defined as undistorted, only in the cases where participants suppose that their validity claims are reciprocally justified. In other words, when these four validity claims are not actualised, for both parties of the communication, this communication is distorted by some external factors.

Here it is needed to underline two points, one is about how to locate Habermas's search for a validity basis of speech, and the other is concerning his future steps in this inquiry.

1) Searle, the philosopher of language who developed speech act theory after Austin and hereby influenced Habermas in his search of universal pragmatics and communicative rationality, indicates that there are mainly two questions which occupied the philosophers of language, and these questions shaped two notable traditions. The first one is "what are the truth conditions of an utterance?". Since early Wittgenstein, and members of Logical Positivist School like Carnap, the main focus was the search for the conditions of establishing or determining the essence of truth. Searle notes that inevitably, this tradition is closely connected with philosophy of science. The second major concern is "what is the relation between meaning and use, or meaning and the intentions with which a speaker makes an utterance?". This is the main problematic for the tradition including Austin and Searle, dealing with the questions of linguistic use as the main task. But Searle also remarks that it would be wrong to argue that these two lines of development are totally unrelated. In his words, they overlap, intertwine and interact in all sorts of way (Searle, 1989). With the four validity claims differentiated by Habermas we witness a synthesis of two problematics outlined above. At that point, we can talk about a Habermasian synthesis of these two concerns for the following reason: the first concern or question, the search for truth condition of an

utterance, is just the problematic that he tries to solve. And while solving this problem, in terms of the relationship between meaning and use, he internalises a pragmatic position. This means he attributes the meaning to the usage. Moreover he argues that the intention of speaker should be taken as the same as the utterance, therefore he offers a resolution for the problem of meaning intention problem.

2) These four validity claims are expected to be the common ground facilitating the agreement, and for this reason they are connected with Habermas's idea of "ideal speech situation" (*ideal Sprechsituation*). With ideal speech situation, Habermas specifies the formal properties that discursive argumentations would have to possess in order to reach a consensus, different from mere compromise and agreement of convenience. In this perspective, ideal speech situation is a "meta-norm" that serves to outline several aspects of an argumentation process which would lead to a "rationally motivated" as opposed to a false or apparent consensus (Benhabib, 1986: 284).

Habermas establishes the ideal speech situation, in a continuum with above-mentioned four validity claims, by identifying its four requirements: first one requires that each participant must have an equal chance to initiate and to continue communication. Second condition obligates that, each side in the communication process, must have an equal chance to make assertions, recommendations, and explanations. Benhabib suggests to call these two as "symmetry conditions" (1986: 285). Third condition expands the second to the expressions of more abstract entities, and imply that all must have equal chance to manifest their wishes, feelings, and intentions. The last condition is that all the speakers must act *as if* there is an equal chance of ordering and resisting to orders, promising and refusing, being accountable for one's conduct and demanding accountability from others. Benhabib suggests to call these last two conditions as "reciprocity conditions" (1986: 285).

3.2.2 Linguistic Competence and Speech Act Theory

Dallmayr states that with his turn to communication, Habermas focused on the generative linguistics and ordinary language analysis, and emphasised the notion of "communicative competence", which involved a critical adaptation and combination of Chomsky's category of "linguistic competence", and the central tenets of Austin's and Searle'e speech act theory (1984: 127). Let me elaborate further on these two influences which are expressed in his article titled "What is Universal Pragmatics" (1979: 1-68).

Universal Pragmatics is said to be universal, because as Chomsky spelled out, every human being has standard language ability, and this ability is observable universally. Habermas thinks that what Chomsky did firstly in *The Syntactic Structures*, appeared in 1957, has a great importance. In this book, Chomsky underlined the rule consciousness common to all competent speakers. Accordingly, each adult person, which means everybody except infants, has the necessary endowment to master the system of rules that permits to produce and to understand sentences that count grammatical (Habermas, 1979: 14). In other words, this is the capacity of constructing grammatically correct and meaningful sentences, and distinguishing ungrammatical sentences. The universality of this ability is coming from the fact that, this is common to all in at least one language.

Universal Pragmatics is said to be pragmatic, because speech act theory proposes a pragmatic theory of meaning (McHoul, 1998): the utterances are working as long as they generate meaning. While benefiting from speech act theory in his construction of Universal Pragmatics, Habermas mostly equates speech act to illocutions. Following Austin's work, Habermas notes that *illocutionary force* is executing an action in uttering a promise, an assertion, or a warning, together with the corresponding sentences. On that account,

communicative function of the content of an utterance is fixed by the illocutionary force of a speech action (Habermas, 1979: 34).

The meaning of the "illocutionary" could be understood, by contrasting it with the trivial meaning embedded in interpersonal relations. Illocutions serve to describe facts that linguistic utterances have the character of actions, which are indeed speech actions. At that point Habermas (1979: 35) tries to explain the concept illocutionary by some examples: "I (hereby) promise you that I will come tomorrow"; "You are requested to stop smoking", "I can assure you that it wasn't I".

In his basic book *How to Do Things with Words*, Austin defines propositions as simple or complex declarative sentences and he states that they are in fact only a minor subset of any natural language. The primary pragmatic function of propositions is, nothing else but stating the facts, and Austin names them constatives. This is the basic premise of Austin (McHoul, 1998).

Austin elaborates his theoretical framework by showing how speech acts perform three different types of act. These are locutionary act, illocutionary act, and performatives, respectively. The first one, locutionary acts indicate a simple fact of uttering a sentence. The second one, illocutionary act means and act performed by a locution. The definitional formula about illocutionary act, which is also adopted by Habermas, doing things by saying something, is very commonly acknowledged. In Austin's perspective illocutionary act is doing something that might or might not be valid in the particular social circumstances. The third one, performatives are basically utterances that have a potential to cause an effect or result on the counterpart (McHoul, 1998). If an example is needed, the sentence "I promise" has an illocutionary force when the counterpart is neglected (put into parentheses) or does not exist at all. But when the counter part does exist and has been effected by the act of promise (be pleased, organise herself accordingly etc.) this is where an *illocutionary force* becomes performatives.

If we return to Habermas, for him a standard speech action is made up of an *illocutionary* and a *propositional* component. He mentions that the illocutionary component consists in an *illocutionary* act carried out with the help of a *performative sentence*. Moreover he adds that performative component needs to be completed by a propositional component constructed by means of a sentence with *propositional content*. In case of a speech act is uttered with a propositional content, the sentences become *propositional sentence* [*Aussagesatz*]. He defines *propositional sentence* by two basic components: a) a name to describe an object -descriptive component-, b) predicate expression for a general determination -indicative component- (1979: 36).

The notion of *propositional sentence* is crucial for Habermas's argumentation; because he stresses the importance of *propositionally differentiated* structures. Accordingly, in case of the propositional content is invariant or uniform, this means that the illocutionary potential is not utilised. And for a true communication, holistic mode of speech should be internalised, where representations, expressions and behavioural expectations are employed as different modes of speeches. In other words, nonlinguistic actions lack a differentiated propositional content, whereas explicit speech actions, always have a propositional component in which a state of affairs is expressed.

The reason why Habermas gives an importance to *propositionally differentiated* structures is that the nonverbal actions are often the results of some yes/no type decisions, as in the case of binary logic "trees". But when the actor has a chance to express himself verbally, alternatives expand from twofold options to much more rich set. In Habermas's own words, propositionally differentiated speech leaves the actor more degrees of freedom in relation to a recognised normative background than does a nonlinguistic interaction (1979: 38).

After having located *propositionally differentiated* speech act as key quality, Habermas provides a scheme to visualise how to derive the analytic unit of the theory of speech act (1979: 40). In this scheme, Habermas first points out four types of social actions: 1) instrumental actions, 2) symbolic actions, 3) communicative actions, and 4) strategic actions. A more detailed discussion about the differentiation of social actions will be provided by Habermas in *The Theory of Communicative Action*, which will be discussed in the next section. For the time being, it suffices to say that, at this scheme, he just works on the communicative social action, leaving the others aside.

According to the scheme, communicative social action can be either *not propositionally differentiated*, or *propositionally differentiated*. *Not propositionally differentiated* actions are mostly nonverbal, but also some illocutionarily abbreviated speech actions, as some verbal affirmative/negative expressions, are *not propositionally differentiated.* Habermas's real interest is on propositionally differentiated communicative actions. This type of actions can be nonverbal and verbal. Habermas leaves again the nonverbal type aside, which are probably some body gestures, and offers a further division on verbal propositionally differentiated communicative actions: institutionally bound or institutionally unbound.

As a normatively suggested analytical unit, Habermas's interest is on unbound types of speech actions. He clarifies the difference between two of them as the following: in institutionally bound speech acts, the permissible propositional contents are narrowly limited. The limits vary from one institutional bond to the other. In betting stakes, in christening names, in appointments of official positions limits are observable. But what is present in all different cases is the involvement of specific institutions. In Habermas's own words, "(i)nstitutionally bound speech actions express a specific institution in the same way the propositionally nondifferentiated and nonverbal actions express a presupposed norm" (1979: 38-39). Institutional bonds are

present to institutionalise the relations of authority. And just on the contrary, in the case of institutionally unbound speech actions, only the conditions of a generalised context are to be followed by the participant to reach the continuum of common and reciprocal action. Habermas denotes that it would be wrong to say that institutionally unbound speech acts do not have regulative meaning at all, they could be related to different aspects of action in general.

Having discussed different theoretical frameworks about language, Habermas says that many language theorists had offered unsatisfactory assumptions by viewing communication processes as occurring at a single level, which is namely transmission of content, exemplified in information, messages, etc. Once such a perspective is appropriated, the relational aspect loses its independence vis-à-vis the content aspect, and the communicative role of an utterance is reduced to informational content (Habermas, 1979: 43). Alternatively, Habermas offers a universal-pragmatic point of view, in which the meanings of linguistic expressions have both the potentials of representational function as well as serving to establish interpersonal relations and expressing intentions (1979: 50).

3.2.3 Communicative Competence and Three Aspects of Universal Pragmatics

As the result of his discussion of different language theories, Habermas prepares his contribution of Universal Pragmatics. The most important step is probably the notion of communicative competence, derived by Habermas from Chomsky's linguistic competence. For Habermas, linguistic position merely emphasises the ability of a competent speaker; which needs to satisfy only the claim to comprehensibility. Mastering the grammatical system is the important issue. But the notion of communicative competence has a pragmatic character; it gives the priority to whether the communication could be possible either in a grammatically correct way or not. On that account, Habermas understands by

communicative competence, the ability of a speaker oriented to mutual understanding (1979: 29).

On the basis of these notions of communicative competence and speech act theory, Habermas determines three aspects of Universal Pragmatics. Thanks to the basis of linguistic competence, these aspects are assumed to be valid for all mature human beings. Accordingly, 1) everybody has the potential of choosing a propositional sentence, to make the hearer share the knowledge of the utterer/speaker; 2) equally everybody has the potential of employing the necessary linguistic expressions that are representing what is intended. This second aspect does not only establish a common ground of language between the parties of the dialogue, but also it creates an atmosphere of trust. And 3) everybody has the ability to perform the speech act in such a way that it conforms to recognised norms or to accepted self-images. By this third principle, an accord between the speaker and the hearer could be established in shared value orientations (Habermas, 1979: 29).

This notion of shared value orientations is not the only remark of Habermas that shows his emphasis on common platform between the parties of dialogue. His emphasis on the background consensus is also serving to the same aim. In a communicative action, whether propositional or not, participants to the process assume that there is a mutual recognition of reciprocally raised validity claims. Habermas, once more, clarifies background consensus in three articles: a) an implicit knowledge of pre-declared validity claims by both speaker and hearer; b) a common supposition on satisfaction of the presupposition of communication; and c) any validity claims are either already clear or can be made clear. The reason for the last article is that, the sentences, propositions, expressed intentions, and utterances should satisfy corresponding adequacy conditions (Habermas, 1979: 6). Only in the case that these three articles are fulfilled together, there will be a communication in the sense of action oriented to reaching a common understanding. These two

points of emphasis show that Habermas presupposes the necessity of a common ground between the parties of a potential communication.

When these two conditions of common ground, namely shared value orientations and background consensus are fulfilled, Habermas expects that the speaker, who has willingly entered a dialogue, has the chance to be satisfied by the dialogue process. He illustrates this idea by the following abstract example: a person, who voluntarily entered to a dialogue process, considers a problem as solved, when a satisfactory answer or solution is supplied by any party of dialogue. This is just the application of the force of the better argument principle to the dialogue process. Following the same idea, a willing part of dialogue has to be able to drop an assertion when, it is proved that, by the force of the better argument, it is false. These types of principles ensure that the illocutionary force of an acceptable speech act consists in the fact that it can move a hearer to rely on the speech-act-typical commitments of the speaker (Habermas, 1979: 62). Above mentioned commitments are bounding both parts of the dialogue, they are reciprocal bonds. And thanks to these reciprocal bonds the speaker can influence the hearer and vice versa (Habermas, 1979: 63).

At the end, Habermas (1979: 65) provides four provisional results about speech act, to outline his answer to the question posed by himself in "What Is Universal Pragmatics": 1) Two basic conditions for the success of a speech act are that speech act should be (1a) comprehensible and acceptable and (1b) accepted by the hearer. 2) The second result is about (1b): the fulfillment of two pragmatic presuppositions are indispensable for the acceptability of a speech act: (2a) the existence of speech-act-typically restricted context, and (2b) a recognisable engagement of the speaker to enter into certain speech-act-typical obligations. Habermas calls (2a) as preparatory rule, and (2b) as essential rule or sincerity rule. The (2b) is related to shared value orientations and background consensus. 3) Habermas defines the

illocutionary force of a speech act as the capacity to move a hearer to act under the premise declared by the speaker. He mentions two types of illocutionary force: (3a) if the speech act is institutionally bound, the speaker can employ the existing norms; the given structures are enough to vitalise the force of make doing something. Orders in the army, which are mostly predetermined by the strict official regulations are the best examples of this type. (3b) But speech acts could also be institutionally unbound, and in these cases the speaker should develop an influential force by inducing the recognition of validity claims. 4) Three different claims must be internalised by all parts of the dialogue process. These are: (4a) a truth claim, the parties are obliged to provide grounds for their arguments; (4b) a rightness claim, the parties have the obligation of providing justification for their arguments; and lastly (4c) a truthfulness claim, they are also obliged to prove their trustworthiness. These four provisional results summarise Habermas's understanding of Universal Pragmatics, which is a foundation for his communicative action theory.

3.3 The Theory of Communicative Action

Having formulated the notion of Universal Pragmatics, Habermas develops his theory in two volumes book *The Theory of Communicative Action* [volume I: *Reason and the Rationalisation of Society* (1984), and volume II: *Lifeworld and System: A Critique of Functionalist Reason* (1992d)]. It is possible to argue that most of the pieces written in 1970s, including "What Is Universal Pragmatics?", and other articles appeared in *Communication and the Evolution of Society* (1979) were preparatory steps for *The Theory of Communicative Action.*

There may be found three major endeavours of this book (Habermas, 1984: xliii): (1) a concept of communicative rationality; which is reasonably sceptical in its development and resistant to instrumental reasoning. In

McCarthey's words (1984), this topic summarises Habermas's will to develop a concept of rationality which is no longer tied to, and limited by, the subjectivistic and individualistic premises of modern philosophy and social theory. (2) developing a two-level concept of society that reach a balanced synthesis of "lifeworld" and "system" paradigms and (3) by this way offering a critical theory of modernity, aware of the pathological accounts of modernity yet, without abandoning the enlightenment project. I will focus on the first two endeavours.

3.3.1 Social Theory and Communicative Rationality

Habermas begins with a discussion about reason and rationality. Accordingly, the main theme of philosophy is reason. The world as a whole, and the multiplicity of appearances could be discovered by the principles offered by reason, not communication. But he does not adopt a holistic view; he continues the same position that he offered in his criticism of Kantian foundationalism.[20] Having remarked that the philosopher should not be a *maître penseur* and the philosophy should not have a usher role (*Platzanweiser*), in *The Theory of Communicative Action* he states that philosophical tradition, suggested the possibility of a philosophical worldview, has become questionable. At that point, he is rejecting to work out with totality, by saying that philosophy can no longer refer to the whole of the world, of nature, of history, of society, in the sense of a totalising knowledge (1984: 1). Once philosophy is no longer dealing with a search for totalising knowledge, the research task of contemporary philosophy appear as contemplating about the formal condition of rationality in knowing, in reaching understanding through language, and in acting (Habermas, 1984: 2).

For Habermas, the most fertile source for searching a new type of rationality is the principle of the force of the better argument, privileged by

[20] This has been discussed above in 3.1.2.

him already in *The Structural Transformation of the Public Sphere* (1992a). In *The Theory of Communicative Action* he restates this principle: accordingly, the rationality of people who engage in a communication process, is basically their willingness and ability to provide persuasive reasons for the expressions. In the communicative process, the practice of argumentation serves as the unique court of appeal, and the process is freed from all kind of coercion and physical force. The existence of just court of appeal makes possible the continuation of the communicative process, because most of the time everyday routines are not enough to repair the disagreements.

At that point, it is needed to see what Habermas understands by the notion of argumentation. He defines argumentation as the type of speech in which parties of the communication process employ contested validity claims and attempt to defend or criticise them with arguments. An argumentation consists of reasons or grounds, forming a systematic whole with the validity claim of a problematic expression. The only strength of an argument is derived from its capacity to convince the parts of the communication process (Habermas, 1984: 18).

Habermas underlines that the theory of argumentation is a brand new contribution when it is compared to the old tradition going back to Aristotle. This new effort could be possible in a atmosphere of intellectual curiosity including the following doubt and desire: (a) a doubt about the sufficiency of deductive logic and the standard inductive logic to model the forms of legitimate argument, (b) a desire to provide a complete theory of reasoning aiming to leave the deductive/inductive logic dichotomy. These doubt and desire lead Habermas to conclude that the logic of argumentation does not refer to deductive connections between semantic units, namely sentences, as in the case of formal logic, but it refers to nondeductive relations between the pragmatic units, namely speech acts, composing the argument. Consequently,

argumentation consists of universal pragmatics, and because of its pragmatic nature it is closer to informal logic (Habermas, 1984: 22-23).

To provide a deeper comprehension of the theory of argumentation, Habermas provides three distinguished aspects of argumentative speech. (1) Firstly, argumentative speech can be considered as a process. Related to this aspect, argumentative speech is a "reflective continuation, with different means, of action oriented to reaching understanding". (2) Second, argumentative speech can be considered as a procedure. This must be abstracted as a special form of interaction, bounded by special rules. He formulates these rules by three responsibilities of the participants of communication process: (2a) thematizing a problematic validity claim, (2b) not privileging experience in a hypothetical attitude, and (2c) testing "with reasons and only with reasons, whether the claim defended by the proponents rightfully stands or not". (3) Thirdly, argumentative speech can be considered as a way of producing convincing arguments (Habermas, 1984: 25).

Here it should be noticed that, these three aspects are inseparable, interrelated and interdependent. As an example, Aristotelian canon perceives these three aspects as separate realms of independent disciplines. Correspondingly, rhetoric has an understanding of argumentation as a *process* (1), dialectic deals with the pragmatic *procedures* of argumentation (2), and logic is focused with its *products* (3). However, once the theory of argumentation internalises some basic concepts as "the assent of a universal audience", "the attainment of a rationally motivated agreement", and "the discursive redemption of a validity claim", the above mentioned three aspects become inseparable, and this is a crucial point about Habermas's theory of argumentation (Habermas, 1984: 26).

Briefly, Habermas understands rationality as an endowment of speaking and acting to express arguments with good reasons and grounds. Such type of arguments, or better to say, rational expressions permit and acknowledge

objective evaluation. Any kind of symbolic expressions, preferably propositional, could be accepted as rational expressions, as long as they are connected with validity claims. Argumentation requires being open to criticism (Habermas, 1984: 25) and the burden to take any rational criticism seriously.

After this provisional discussion on the concept of rationality, Habermas develops his search for a new type of rationality in distinguishing four sociological concepts of action, where he is demarcating communicative action.

3.3.2 Four Sociological Concepts of Action: Communicative Action versus Others

In one of his key articles "Technology and Science as 'Ideology'" (1970b), Habermas has introduced the distinction between purposive-rational action and communicative action, without providing detailed explanation. In *The Theory of Communicative Action* (1984), his analysis is not any more limited to a dualistic perspective, but he offers a model of four different types of action: teleological/strategic action, normatively regulated action, dramaturgical action, and communicative action. The last one is distinguished from the first three, although they have some common characteristic as well as divergent peculiarities.

Habermas begins to his discussion of social actions by reformulating purposive-rational action with teleological/strategic action. Since Aristotles teleological action dominates the philosophical theory of action. "The actor attains an end or brings about the occurrence of a desired state by choosing means that have promise of being successful in the given situation and applying them in a suitable manner" (Habermas, 1984: 85). This type of action works under the objective condition of the world or existing states of affairs. The actors, who internalised this type of action, are goal-directedly acting

subjects. For them, the way of achievement is orienting and influencing the decisions of other actors. A model of society based on teleological/strategic action tells that the success is depending on the other actors, who are also oriented to their own personal success. Once everybody is focused on personal achievement cooperation could be possible as long as egocentric and egoistic calculation of utility is employed (Habermas, 1984: 87-88). As it can be seen clearly, this type of action does not perceive human being as an entity that is self-realised as a result of interaction with other humans. This point is crucial in grasping its difference with communicative action and communicative rationality.

The second type of social action is normatively regulated action (1984: 88-90). In this type of social action, the social world surrounds the actors and thanks to the social world producing binding norms is possible. In most of the social settings, the actors are forced to belong to the same social world. For that reason, actors become to role-playing subjects with a lesser degree of autonomy. At this point, the norms are seen as limiting the autonomy, to some extent. And this point is crucial to understand his later law focused period. For him it is possible to talk about two kinds of norms: *ideally valid*, and *de facto established*. If a norm is *ideally valid*, it is constructed by the consent of all people who are the potentially influenced by this norm. In other words, as long as a norm is constructed by the assent of affected, it deserves respect. However, if a norm is *de facto established*, the affected people meet with the norm in limit case of the norm. In such cases the recognition of the norm is not based on the participation of its creation process, but it is based on the social force. No need to mention, for Habermas this second type of norm is problematic for autonomy, and when he talks about the normatively regulated action, the norm that he has in his mind is this second type.

The third type of social action mentioned by Habermas is dramaturgical social action, possible to define by the terms of encounter and performance

(1984: 90-94). He understands by dramaturgical social action an encounter where parties form a visible public for each other and perform for one another. As in all performances, the social actor brings something about their personal subjectivity. Related to the degree of this subjectivity, dramaturgical social action can become similar even to an impression management.

The fourth type of social action distinguished by Habermas is communicative action (1984: 94-101). Whereas the first three types could be classified mostly as already existing types of social action, the fourth one seems more like a suggestion to implement. In order to provide an account of the communicative action, Habermas remarks particularly the difference between communicative action and other types. The difference lies basically on how different types of action internalised language. Indeed, all of them, including the communicative action work on the medium of language, but the first three conceive language *one-sidedly*.

The one-sidedness of the teleological/strategic action reduces languages to its perlocutionary power. It takes language as the medium of indirect communication of people merely aiming the realisation of their own end. Moreover, it undermines language to an ordinary media, possible to serve for success. Such kind of indirect communication aims getting someone to form a belief, or an intention. The one-sidedness of the normatively regulated action reduces languages to their function of establishing interpersonal relation of power. Moreover this type of action accepts language merely as the medium of cultural value transmissions. The one-sidedness of dramaturgical action reduces languages to its power of expression of subjective experiences. This is reducing the language to a medium of self-representation, and interpersonal significance as well as the illocutionary component of language is underestimated.

The significance of communicative action lies on the opposite side of this one-sidedness, because only communicative action takes the multiple

functions of language equally into consideration. In the framework presupposed by the communicative action perspective, language is the medium of unabridged communication process, where the parties -speakers and hearers- have connections with different realms as objective, social, and subjective. At the intersection point of these different realms the formal pragmatics works. Habermas notes that for the communicative model of action, language is only relevant from its pragmatic function. In this respect, speakers employ sentences with an orientation to reaching understanding, and they take up relations to a communicative process in a reflective way.

Aiming to reach an understanding serves as the mechanism of coordinating the actions. But this coordination activity is purposefully restricted to participation agreement about claiming validity of their utterances. The intersubjectively recognised validity claims are unique entity of judgement, to execute the unforced force of the better argument, without permitting other sources such as physical force or coercion.

At that point, he makes an important remark about the nature of validity claims. As it is above stated in this chapter[21], when Habermas introduced the validity basis of speech for the first time, he was indicating four conditions (1979: 2). But in *The Theory of Communicative Action*, he numerates (at least) three validity claims that should be followed by an actor, who aims to reach an understanding:

> 1) That the statement made is true (or that the existential presuppositions of the propositional content mentioned are in fact satisfied);
> 2) That the speech act is right with respect to the existing normative context (or that the normative context that is supposed to satisfy is itself legitimate); and
> 3) That the manifest intention of the speaker is meant as it is expressed (Habermas, 1984: 99).

[21] Recall that, this has been discussed in 3.2.1.

Such kind of reformulation is important to see how does Habermas make theory more refined and maturer.

But at that level, two interrelated warnings should be made in order to prevent some possible confusions: (a) Habermas does not propose the sole supremacy of communicative action over other types of social actions. What he proposes is a more balanced employment of different types of social actions in different contexts. In this sense, he seems quite Weberian. As Kalberg notes, in Weber's sociology there are four types of rationality, namely *practical rationality*, *theoretical rationality*, *substantive rationality*, and lastly *formal rationality* (Kalberg, 1980). Weber is best known for his criticism of *formal rationality*, but indeed he was critical about the overuse of *formal rationality*. And what was proposed by Weber was using the appropriate type of rationality, in appropriate context. This is the idea followed by Habermas. Accordingly, in some contexts, Habermas believes that a more regulative type of social action could be necessary.

(b) With communicative model of action Habermas does not equate communication with action. In the medium of language, each and every actor, potentially and practically, follow their particular aims. Therefore, Habermas underlines that the teleological aspect is present in all types of social actions. But with this statement, Habermas does not trivialise his own distinction concerning social action. In his own words,

> only the strategic model of action *rests content* with an explication of the features of action oriented directly to success; whereas the other models of action specify conditions under which the actor pursues his goals -conditions of legitimacy, of self-presentation, or of agreement arrived at in communication… (Habermas, 1984: 101).

3.3.3 System Integration versus Social Integration: Colonisation of the Lifeworld

Having described his conception of social action in a fourfold perspective, in *The Theory of Communicative Action*, Habermas offers a much more systematic explanations about -his old theme- the dichotomy between system integration and social integration. By this conceptualisation he makes a further step to group four different types of social actions, and demarcates which social action corresponds to the reproduction of system, and which social action corresponds to the reproduction of cultural aspects of society. At this point it is necessary to appropriate a retrospective view and concentrate first on how Habermas elaborated this distinction over time.

3.3.3.1 Preliminary Definitions on System Integration, Social Integration, and Lifeworld

1) The article where Habermas first introduced this distinction with a different name is "Technology and Science as 'Ideology'" (1970b). By taking this article into consideration, we can observe Habermas's search for the terminology: he employs "work" to express system integration, and "interaction" for social integration. By "work", which is almost equal to "purposive-rational action"; he understands either instrumental action or rational choice or their incorporation. Technical rules, strategies based on analytic knowledge, and defined goals under given conditions are the basic characteristics of "work", or system integration.

By "integration" or social integration, he understands basically communicative action and a medium of interaction working with social symbols. Social integration is ruled by binding consensual norms. These norms define reciprocal expectations about behaviour of social actor, and they are enforced through sanctions. Habermas observes fundamental distinctions between system integration and social integration in three respects: a) level of

definitions, b) mechanism of acquisition, and c) "rationalisation" (1970b: 40). a) System integration defines itself in a context-free language. Technical rules are designed in order to function in all different environments. But social integration is defined intersubjectively shared ordinary language. b) While they are in the sphere of system integration, social actors acquire their position within the system by learning skills and qualifications. While they are on the sphere of social integration, they appropriate their positions by role internalisation. c) For Habermas, the fundamental distinction is also observable in terms of how they define "rationalisation", in other words the success of integration. For system integration, the success means the growth of productive forces and the extension of technical control. But for social integration "rationalisation" or achievement corresponds to emancipation. According to Habermas, as long as the level of social integration increases, there will be more individuation, extension of communication, and less domination.

2) After "Technology and Science as 'Ideology'" of late 1960s, Habermas employs the distinction between system integration and social integration in his book *Legitimation Crisis* (1976), where the main focus was on social contradictions and crises continuing even in the state-regulated capitalism. In this book, he tries to develop a social-scientific conception of crisis that is able to grasp the relations between system integration and social integration. In this context, he speaks of system integration to connote specific control performances of a self-regulated system. System integration is mostly dominant is political subsytem, and economic subsytem. By social integration, he means on the other hand, the system of institutions in which speaking and acting subjects are socially related [*vergesellschaftet*] (Habermas, 1976: 4). Moreover, he declares that it is possible to name the milieu of social integration as lifeworld, which is symbolically structured.

Habermas uses these two notions to introduce his conception of crisis. Accordingly, he states that crises arise when the structure of a social system allows fewer possibilities for problem solving than which is necessary for the continued existence of the system. In other words, crises are observable as a result of system integration failure. But the causes of the crisis cannot be reduced to the problems of system integration: for Habermas, disturbances of system integration endanger continued existence only to the extent that social integration is limited. In the case that consensual foundations of normative structures of society, i.e. mechanism of social interaction, become (or made) unvocal, the society becomes anomie (Habermas, 1976: 3).

3) Once he equates lifeworld with social integration in *Legitimation Crisis*, in *The Theory of Communicative Action* he uses the term rarely, and refers mostly to the lifeworld. In the first volume, he offers a definition of the lifeworld. He conceptualises lifeworld quite parallel to the background consensus developed[22] in "What is Universal Pragmatics?" (1979: 4).

He introduces the concept of the *Lebenswelt* or lifeworld as the correlate of process of reaching understanding. Lifeworld is the general or common horizon, where subjects acting communicatively always come to an understanding. The lifeworld is formed by background convictions. In his own words, "this lifeworld background serves as a source of situation definitions that are presupposed by participants as unproblematic" (Habermas, 1984: 70). Moreover, he attributes to lifeworld a function that tradition has: he notes that the lifeworld also stores the interpretative work of the preceding generations.

Habermas states that it is possible to think the lifeworld as represented by a culturally transmitted and linguistically organised stock of interpretive patterns. And it is linked to the contexts of relevance that are based on grammatically regulated relations among the elements of a linguistically

[22] This has been discussed above in 3.2.3.

organised stock of knowledge. He considers lifeworld as a transcendental site where speaker and hearer meet, and where they can reciprocally rise claims that their utterances correspond to the world. In the lifeworld, parties of communication can criticise and confirm the validity claims, settle their disagreement, and arrive at agreements. Briefly, he understands lifeworld, as the abstract milieu where communicative actors are always moving within its horizons and they cannot step outside of it. By their speech acts, actors are belonging to the lifeworld and making a part of it, but they cannot refer to "something in the lifeworld" as they can refer to facts, norms, or experiences, due to the abstract nature of it (Habermas, 1992d: 126).

As a result, by his discussion on the lifeworld, Habermas indicates the necessary condition of a idealised environment of communication, as well as he is offering a conceptualisation useful to show under conditions communication is limited; because while he is describing non preferable cases for communication his reference point is still lifeworld. But before passing on to the lifeworld failure, Habermas deals more on how the lifeworld as a communicative atmosphere could be more successful. In this context he is offering the notion of rationalisation of the lifeworld.

3.3.3.2 Rationalisation of the Lifeworld

Habermas opens his discussion of the rationalisation of the lifeworld by stating that, rationalisation is not *a priorily* negative term, and lifeworld rationalisation simply means a well functioning, successful lifeworld, as the milieu of communicative action. The perspective, labelled by Habermas as the counter-Enlightenment, has a common conviction about the loss of meaning, anomie, and alienation. They perceive these pathologies of the bourgeois society and in a way add the rationalisation of the lifeworld to the list of pathologies (Habermas, 1992d: 148). Habermas is disagreeing with such an

idea, although he also has some remarks criticising the current position of lifeworld that is built around the notion of colonisation of the lifeworld.[23]

The point where it is possible to find the foundation of his disagreement is the following: he assumes that the human beings maintain themselves through the socially coordinating activities of its members and that this coordination has to be established through communication. This is the Hegelian framework, to perceive the self as an outcome of the interaction with other self, and this interaction could be possible thanks to human abilities of communication. As the central aim of communication is reaching an agreement, "then the reproduction of the species also requires satisfying the conditions of a rationality that is inherent in communication" (Habermas, 1984: 397). Consequently, rationalisation of the lifeworld signifies the development of this rationality, which is (in a way) the substance of communication.

Habermas defines rationalisation of the lifeworld as the conditions of rationally motivated mutual understanding, conditions of consensus formation that rest in the end on the authority of the unforced force of the better argument. As long as lifeworld gets more rationalised, the number of topics subjected to the force of the better argument will increase; wider discussions would be possible, and more consensus will be reproduced by an atmosphere of communicative action. The example given at this point by Habermas is the idea of the linguistification of the sacred (1992d: 145). Accordingly, thanks to rationalisation of the lifeworld, communicative action has the chance of being detached from concrete and traditional normative behaviour patterns. As tradition reproduces fewer norms, religiously produced consensus becomes to be replaced by consensus produced in language (Habermas, 1992d: 180), that is achieved by communicative action. Once the lifeworld is rationalised up to a

[23] In order to see a more general position offered, by Habermas, in the context of Enlightenment and its critic the relevant work is "Modernity: An Unfinished Project" (Habermas, 1996).

certain degree, obedience to law becomes the only normative condition that actors have to meet.

What would make such a rationalisation of lifeworld possible is a balanced interaction of different subsytems, namely cultural, political, and economic. With another wording, when system integration and social integration coexist without violating the sphere of each other a successful communication atmosphere could be established. Habermas sees such a problem of peaceful coexistence possible in modern society and entitles this fact as the uncoupling of system and lifeworld. With this uncoupling, system integration definitively break the horizons of the lifeworld; it escapes from the insightful knowledge of everyday communicative practice, and for that reason it becomes accessible only to the counterintuitive set of knowledge. As the system integration becomes more complex and more dominant, lifeworld becomes more remote. As the system integration grows vigorously, lifeworld seems to shrink to a subsytem, unequal to system integration (Habermas, 1992d: 173).

Together with this uncoupling, Habermas admits that there arises certain problems sourced by over-rationalisation. The illustrative example of these problems is delinguistified media such as money and power, becoming more powerful in coordination of actions. Such media uncouple action coordination from consensus formation of communicative atmosphere. They hold a controlling power. And "they encode a purposive rational attitude toward calculable amounts of value and make it possible to exert generalised, strategic influence on the decisions of other participants while bypassing processes of consensus- oriented communication" (Habermas, 1992d: 183). Habermas calls this process the technicization of the lifeworld. The process of technnicizing the lifeworld has two basic steps: first, it simplifies the linguistic communication; second, it replaces communicative atmosphere with symbolic generation of rewards and punishment. As a result, lifeworld looses its key

position in coordination of actions, as well as the production of social norms and consensus. The more media dismisses the consensus formation raised by communicative atmosphere, the network of media-controlled interaction becomes more complex (Habermas, 1992d: 184).

3.3.3.3 Colonisation of the Lifeworld

It should be noted that, in his search of an ideal communication atmosphere, Habermas is mostly critical about the existing communicative mechanism, hence he does not stop his criticism with the conception of technicization of the lifeworld, but expands it with a concept developed by Luhmann: colonisation of the lifeworld. Habermas states that Luhmann's systems functionalism is actually based on the assumption that "modern societies that symbolically structured lifeworld has already been driven back into the niches of a systematically self-sufficient and been colonised by it" (1992d: 311-312).

He develops the conception of the colonisation of the lifeworld independent from Luhmann. Accordingly, the over-rationalisation, the basic reason for technicization of the lifeworld, is also determining why the lifeworld has been colonised. Because of the monetarization and bureaucratisation of everyday practices both in the private and public spheres, Habermas notices the rise of one-sided life styles and unsatisfied legitimation needs. Again the problem is not about rationalisation in itself, but rather it is about the fact that communicative practice of everyday life is one-sidedly rationalised into a utilitarian life-style. Economic system reduces and diminishes the private sphere with its reductionist rationality, and simultaneously the administrative system does the same thing for public sphere. Meanwhile, all spontaneous process of opinion has been subjected to a bureaucratic disempowering and evaporation. Consequently, political decision-making is distanced from masses (Habermas, 1992d: 325).

Returning to his discussion about the lifeworld, Habermas indicates two interrelated phenomena about lifeworld: 1) it is assimilated to formally organised domains of action, 2) it is cut off from cultural tradition. 1) The first one, one-sided rationalisation of daily communication is caused by the increasing controlling ability of media, and the imperative of the media are penetrating to the core domain of the lifeworld. 2) For the second one, -the disconnection from tradition-, Habermas indicates the differentiation of science, morality, and art. Such a differentiation means on the one hand an increasing autonomy of sectors conducted by experts, but on the other hand, it means a lost of credibility for tradition. This tradition survives on the basis of everyday hermeneutics as a kind of second nature, which is no more powerful (Habermas, 1992d: 327).

3.4 Combining Communication and Morality: Discourse Ethics

3.4.1 Why Discourse Ethics Is Needed?

Habermas announced his understanding of discourse ethics in his article entitled "Discourse Ethics: Notes on a Program of Philosophical Justification" (1990: 43-115). In this article, he provides a sophisticated answer to the question how to construct ethical norms after the age of secularisation.

Habermas states that all variants of cognitivist ethics take their direction from the basic intuition contained in Kant's categorical imperative. Although Kantian formulations are various, they have a common underlying idea that they are all designed to take into account the impersonal, or general character of valid universal commands. Within this perspective, the moral principle is acceptable as long as it could meet the qualified assent of all people who might be affected by it. This is the bridging principle as it assumes a linkage with norm and people restricted by this norm. Such a principle makes consensus possible. This means, only the norms expressing a general

will are accepted as valid. Kant notes several times, that morals norms are seen agreeable in cases that they could be the expression of "universal law". "The categorical imperatives can be understood as a principle that requires the universalizability of *modes of action* and *maxims*, or of the *interests* furthered by them (that is, those embodied in the norms of action)." (Habermas, 1990: 63).

Although Habermas considers his contribution of discourse ethics as part of Kantian tradition, to some extent, he also some reservations towards Kantian idea of categorical imperative. In Kant's categorical imperative, the burden of judgment is on the reason of the subject who regulates his or her behaviour according to the categorical imperative. But there is no dialogue with those who may be affected from the process. He notes that the intuition expressed in the idea of the generalizibility of maxims could just be actualised, only when the recognition of *all* concerned is obtained. The judgment of *one person*, on behalf of all potential and actual affected, is not sufficient. The judgment of *one person*, Kantian subject of categorical imperative, will not be enough impartial, to construct a universal norm. Therefore, it is necessary to express the impartiality of judgment in a principle that constraints *all* affected to adopt the perspectives of *all others* in the balancing of interests (Habermas, 1990: 65). This is the main reason that Habermas works on discourse ethics, and the main promise of discourse ethics is to fulfil this reciprocal recognition process.

3.4.2 Two Principles of Discourse Ethics: Principle of Universalization (U) and Principle of Discourse Ethics (D)

To fulfil this condition of reciprocal recognition process, Habermas offers two conditions that are going to function as the basis of discourse ethics. A norm would be qualified as valid, if it is accomplishing both the principle of

universalization (U) and principle of discourse ethics (D). Habermas define these two principles as the following:

> (U) *All* affected can accept the consequences and the side effects its *general* observance can be anticipated to have for the satisfaction of *everyone's* interests (and these consequences are preferred to those of known alternative possibilities of regulation). …
> (D) Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in their capacity *as participants in a practical discourse.* (Habermas, 1990: 65-66).

Habermas introduces the principle of universalization (U) "as a rule of argumentation that makes agreement in practical discourse possible whenever matters of concern to all are open to regulation in the equal interest of everyone" (Habermas, 1990: 66). Again in the discourse ethics, Kantian bridging principle is accepted as a key factor for the transition to discourse ethics. Discourse ethics gives to the principle of universalization (U) the function of preventing the monological application of the principle. This function is twofold: the principle of universalization (U) arranges and directs an argumentation if it is taking place among a plurality of participants. Moreover, the perspective of real-life is suggested by the principle of universalization (U); meaning that all affected are considered as participants. For this reason the bridging principle implemented in discourse theory seems more powerful than the bridging principle of Kantian categorical imperative.

According to Habermas, producing normative validity has the function of coordinating the social actions; and for this reason dealing with problems of moral argumentation monologically would not suffice. What is required is a cooperative effort. Discourse ethics is the framework for such a cooperative effort. This cooperative aspect is empowered by the principle of discourse ethics (D). When all affected enter as participants into a process of moral

argumentation, according to the (D), they internalise a reflexive attitude in their communicative action. The aim of this reflexive attitude is re-establishing a former consensus. Consequently, discourse ethics contributes to settling conflicts of action by adopting consensus as a tool. Re-establishing a former consensus has two elements for Habermas: it does not mean only restoring intersubjective recognition of a validity claim after it has become controversial, but also, it means assuring intersubjective recognition for a new validity claim to substitute the old one. By this dual meaning of re-establishing a former consensus, agreement could express a *common will* (Habermas, 1990: 67).

Once he establishes these two principles as the basis of discourse ethics, Habermas reformulates the Kantian categorical imperative. The classical version was "act only according to that maxim by which you can at same time will that it should become a universal law" (Habermas, 1990: 197). The reformulated version is the following:

> Rather than ascribing as valid to all others any maxim that I can will to be a universal law, I must submit my maxim to all others for purposes of discursively testing its claim to universality. The emphasis shifts from what each can will without contradiction to a general law, to what all can will in agreement to be universal norm. (Habermas, 1990: 67).

The reformulated version assigns a cooperative character to the argumentation process. In other words, it inserts the dialogue to the monological categorical imperative. Once a dialogical process is adopted, the argumentation process does not sacrifice the character of individual being the last court of appeal to judge what is in her best interest, but the process incorporates the criticism of others.

3.4.3 Rules of Argumentation in the Framework of Discourse Ethics

As in the case of ideal speech situation[24], Habermas declares binding rules for all affected that became participants, that need to be accepted during the process of argumentation. These are as follows:

(1.1) No speaker may contradict himself.

(1.2) Every speaker who predicate *F* to object *A* must be prepared to apply *F* to all others objects resembling *A* in all relevant aspects.

(1.3) Different speakers may not use the same expression with different meaning.

…

(2.1) Every speaker may assert only what he really believes.

(2.2) A person who disputes a proposition or norm not under discussion must provide a reason for wanting to do so.

…

(3.1) Every subject with the competence to speak and act is allowed to take part in a discourse.

(3.2) a. Everyone is allowed to question any assertion whatever.

b. Everyone is allowed to introduce any assertion whatever into the discourse.

c. Everyone is allowed to express his attitudes, desires, and needs.

(3.3) No speaker may be prevented, by internal or external coercion, from exercising is rights as laid down in (3.1) and (3.2). (Habermas, 1990: 87-89)

In effect, with these rules of argumentation, Habermas adopts his earlier views about the validity claims to the context of discourse ethics. To begin with (1.1) of discourse ethics, prohibiting the inner contradiction is a reformulation of both sincerity rule[25] of speech act (Habermas, 1979: 65) and existential presuppositions of the propositional content[26] of communicative action (Habermas, 1984: 99). The rule (2.1) is also supplementing the sincerity condition. With the third group of rule, the characteristics of the publicity

[24] See 3.1.4 and 3.2.1.
[25] See 3.2.3.
[26] See 3.3.2.

principle, followed by Habermas since *The Structural Transformation of the Public Sphere* (1992a) is brought back. Accordingly, only the unforced force of the better argument could be accepted and no other type of force, i.e. coercion, could be allowed in the setting of the argument. Moreover with the third group of rule, Habermas underlines how the discourse ethics has an inclusive character as principle of publicity does.

Although other rules are familiar from his earlier works, there is an exemption: the rule (2.2). This rule states that when a participant want to add a new item to the general discussion agenda, she needs to make a reasonable explanation about why discussing this item is necessary. This rule indicates the need of institutionalisation -though not in its literary sense-, for a well-functioning discourse ethics. Habermas justifies such a need as follows: because the participants of the discussions are real human beings and not Kant's intelligible characters, dialogic process is taking in particular social contexts and they are bounded by time and space. Related to this bounded setting, topics and contributions have to be organised. It is necessary to arrange when the discussion will be opened, when it will be paused and when it will be restarted. These types of arrangement are indispensable to sufficiently neutralise concrete limitations and avoidable interferences, both internally or externally sourced. So discourse ethics works better when the approximation of the participants is taken into consideration. The point that demands attention is that, such type of institutionalisation does not connote a fixed structure, as the literary meaning of the word implies; but it shows the necessity of a regulative carefulness, which may spring *spontaneously*. Habermas states that such institutional precautions are not to limit the general freedom atmosphere of the discussion or discourse ethics principle; but on the contrary, they enable the general discussions (Habermas, 1990: 92).

3.4.4 Essential Characteristics of Discourse Ethics

Having outlined how discourse ethics could function, by listing rules to be followed, Habermas deliberates on the essential characteristics of discourse ethics. The first point emphasised is the procedural nature of discourse ethics. This nature is mostly related with the principle of discourse ethics (D). Discourse ethics does not provide any substantive guideline to the participants, but only shows the procedures they need to follow. In other words, it sets the boundaries of practical discourse without filling up the zone determined by these boundaries. Practical discourse is not a fundamental method which is able to determine justified norms. It merely offers a procedure to test the validity of norms accepted as an item of discussion. Practical discourse has an openness and by its procedural nature, its content is always contingent (Habermas, 1990: 103).

Having stated procedural nature of discourse ethics, in his article entitled "Moral Consciousness and Communicative Action" (Habermas, 1990: 116-194), Habermas maintains that discourse ethics is cognitivist, universalist, and formalist ethical theory. Cognitivism, universalism, and formalism appear as characteristics that discourse ethics share with other ethical theories, and all these qualities are related to the principle of universalization (U). Firstly, cognitivism is a quality of discourse ethics, simply because the principle of universalization (U) implies that moral-practical issues can be decided on the basis of reason. This means that moral judgments have cognitive content. This cognitive content connotes something more than the emotions, preferences, or decisions of the participant of dialogical process. Second, universalism is a quality of discourse ethics, because on the basis of the principle of universalization (U), discourse ethics rejects *ethical relativism*. This means that, according to discourse ethics, the validity of the moral judgment should not measured with respect to a value proper to a specific culture or form of life (Habermas, 1990: 120-121).

Lastly, formalism is a quality of discourse ethics, simply because the principle of universalization (U) eliminates all concrete value orientations. By this way evaluative issues about the question of good life are reduced to the question of justice, in other words to a domain of normative in the strict sense. Once they are reduced to the normative domain they are to be settled by rational argument. On that account, discourse ethics builds itself on a contrast with *material ethics*. Because while material ethics is designed to find quick answers to the question of happiness and good life, discourse ethics sets its limits where concrete value orientations start (Habermas, 1990: 121).

All these three qualities of cognitivism, universalism, and formalism, are related to the principle of universalisation (U), and what makes discourse ethics different from other cognitivist, universalist, and formalist ethical theories is its procedural nature provided by the principle of discourse ethics (D). In Habermas's own words:

> (The principle of discourse ethics) (D) makes us aware that (the principle of universalization) (U) merely expresses the normative content of a procedure of discursive will formation and must thus be strictly distinguished from the substantive content of argumentation. *Any* content, no matter how fundamental the action norms in question may be, must be made subject to real discourse (or advocatory discourses undertaken in their place). The principle of discourse ethics (D) prohibits singling out with philosophical authority any specific normative contents (as, for example, certain principles of distributive justice) as the definitive content of moral theory. Once a normative theory like Rawls's theory of justice strays into substantive issues, it becomes just one contribution to practical discourse among many, even though it may be an especially competent one. It no longer helps to ground the moral point of view that characterizes practical discourse *as such*. (Habermas, 1990: 122).[27]

[27] Remember in 3.1.2 it is mentioned that Habermas was rejecting an usher (*Platzanweiser*) and judge role for the philosophy and proposing a modest role of stand-in (*Platzhalter*) and interpreter for philosophy (Habermas, 1990: 4-14). And in this context one of his example for theoretician sketching out a normative theory was Rawls (Habermas, 1994: 101).

The principle of discourse ethics (D) does not only differentiate discourse ethics from other ethical theories, but also, it provides a more secure position compared with the vulnerability of Kantian ethics in the face of Hegel's criticism.

3.4.5 Discourse Ethic and its Criticism

As it is already mentioned in 2.3.1, Habermas returns to Hegel's critique of Kant at several points of his career. Most of the times he appreciates the Hegelian criticism, namely he underlines the importance of Hegelian criticism to understand the decline of publicness. While developing the notion of discourse ethics, once again, Habermas takes Hegelian criticism of Kant into consideration, because he sees the discourse ethics perspective as a part of Kantian tradition.[28] And for him, the aspect of discourse ethics which separate it from mainstream Kantian tradition is its stronger position vis-à-vis Hegelian criticism.

In order to show how Hegelian criticism is not valid for discourse ethics, in his article "Morality and Ethical Life: Does Hegel's Critique of Kant Apply to Discourse Ethics?", appeared in *Moral Consciousness and Communicative Action*, Habermas first summarises four aspects of the criticism. These are the objection to the *formalism* of Kantian ethics, the objection to the *abstract universalism* of Kantian ethics, the attack on the *impotence of the mere ought*, and lastly the objection to the terrorism of *pure conviction* (*Gesinnung*) (Habermas, 1990: 195-196). The first point argues that Kantian framework abstracts moral agent from the concrete context and therefore it becomes impotent. On that account Hegel accuses Kantian framework being tautological. The second point, -Hegel's objection to the *abstract universalism* of Kantian ethics-, says that categorical imperative separates universal from the particular, and for that reason, Kantian ethics

[28] See 3.4.2.

remains external to particular situations, and does not offer specific solutions for specific problems. The third point, -Hegel's attack on the *impotence of the mere ought*-, implies that Kantian categorical imperative separates "is" from "ought" and consequently fails to actualise the moral insight in practice. The fourth point, -Hegel's objection to the terrorism of *pure conviction*-, states that due to the problematic linkage between the universal and the particular, Kantian framework could produce even immoral deeds. According to Habermas, these four points, although they have some value in terms of Kant's context, does not apply to discourse ethics.

1) Related to Hegel's criticism of formalism, Habermas does not seem convinced. Because he thinks that, due to the procedural nature, both Kantian ethics and discourse ethics are merely making tautological statements. But the tautological nature of their statement does not mean that they assume only logical consistency. In Habermas's view, they certainly have a substantive moral point of view. Moreover, Habermas states that the content "tested by a moral principle is generated not by the philosopher but by the real life" (Habermas, 1990: 204). The statement, produced as a result of the presupposed procedure, is not a product of the philosopher. For that reason discourse ethics is free from such a criticism of formalism.

2) Habermas believes that Hegel's criticism on abstract universalism is right, because moral theory of Kant is specialised, and focused too much on the question of *justification*; therefore it does not provide specific answer to the questions of *application*. But this point is irrelevant for discourse ethics, because procedural nature of discourse ethics has an awareness of its consequences (Habermas, 1990: 206). When a universal norm is produced by discourse ethics, it does not alienate from its own results. By this awareness, discourse ethics refutes criticism concerning abstract universalism.

3) On the criticism of the impotent "ought" too, Habermas agrees with Hegel, because according to him, Kant's ethics lacks practical impact by dichotomising the duty and preference, reason and sense experience. Due to this separating perspective, the practical force of Kantian framework gets damaged. But this point is irrelevant as well for discourse ethics because it includes all interests that may be affected. This inclusion is also apparent in how discourse ethics conceptualises "autonomy" in an intersubjective way. Opposed to Kantian framework which conceives understanding autonomy as freedom under self-given laws, discourse ethics understands autonomy as "the free actualisation of the personality of one individual depend(ing) on the actualisation of freedom for all" (Habermas, 1990: 207). This way of conceptualising autonomy helps discourse ethics not to fail distant from daily practices.

4) Habermas rejects the fourth criticism, namely Hegel's objection to the terrorism of *pure conviction*. In his words, "neither Kantian ethics nor discourse ethics exposes itself to the charge of abetting … totalitarian ways of doing things" (Habermas, 1990: 208). This point is irrelevant for both Kantian perspective and discourse ethics, because both perspectives depart from the idea that ends justifies means.

As it is seen from these four points, Habermas builds discourse ethics in such a way that the Hegelian criticism directed towards a Kantian ethics would not damage it.

3.5 A Remark on Habermas's Focus on Communication and the Triangle Model: Continuity or Discontinuity

Having sketched Habermas's work on communication, some reflections about the place of this period in the triangle model is indispensable. As it is outlined in introductory chapter (1.1), the Triangle Model argues that the overall project of Habermas could be summarised in three distinctive periods, namely publicness, communication and democracy, each constituting a corner of the triangle. According to the Triangle Model, especially early phases of the period is taken into consideration, a dissociation appears between the period of publicness and the period of communication. This can be also phrased as a discontinuity between the first corner of publicness and the second corner of communication.

The section (3.1) deals with this discontinuity, and attempts to grasp its reasons. The basic evidence of this discontinuity is the way Habermas altered his conception of the medium of communication. While in the period of publicness he was defining the medium of communication as the public sphere, in his period of communication he starts to define it as language (McCarthy, 1984: xii). This shift is also supported by a change in the method. Habermas replaces the historical analysis of the publicness period with a theoretical framework enriched by analytical philosophy and linguistics. It is observable that he gives more importance to Hegelian emphasis on human interaction in the context of identity formation (3.1.1), and at the same time, he becomes more critical about a foundational philosophical position (3.1.2). At the end, he differentiates himself from philosophy of consciousness and begins to emphasise more the linguistic interaction (3.1.4). On that account, it seems safe to argue that, there is a discontinuity between Habermas's period focused on publicness and his period focused on communication.

Although the discontinuity is solely apparent, it is also necessary to note that the analytical philosophy and linguistics were mostly employed by Habermas in the early phases of communication focused period. By using these two sources, he formulates the Universal Pragmatics, without any

acknowledgment of his earlier work on public sphere. However, as Habermas's study on communication arrives to a mature level, an idea of publicness rises again. In order to make this point clearer, revisiting two concepts, contributed by Habermas towards the end of communication focused period, is required: these are lifeworld and discourse ethics.

As it is mentioned in (3.3.3.1), Habermas defines lifeworld as a common horizon. He does not define lifeworld merely as a common horizon, rather he attributes to lifeworld a property of being a collective background, which makes communication possible. These points imply that, although he does not have something collective in his mind, while he was contributing the Universal Pragmatics, other than linguistic/communicative competence; now when he is employing the concept of lifeworld -as the medium of communication- he admits something much more related to publicness. This emphasis on publicness is likewise seen in the concept of colonization of the lifeworld. As it is mentioned in (3.3.3.3), when Habermas explains colonization of the lifeworld, he stresses that this is a phenomenon observable both in private and public spheres. Reductionism of economical system and bureaucratisation of political systems affect both private and public realms (Habermas, 1992d: 325). Thus, in order to clarify how lifeworld is colonised, Habermas feels the necessity of referring to his old notion of publicness.

A parallel attempt is observable when the notion of discourse ethics is taken into consideration. In his article "Further Reflections on the Public Sphere", Habermas says that "'political public sphere' is appropriate as the quintessential concept denoting all those conditions of communication under which there can come into being a discursive formation of opinion and will on the part of a public composed of the citizens of a state" (1992e: 446). In other words, he accepts that a discourse-centred approach to ethics is unavoidably bounded by publicness.

Consequently, by reviewing covert connotations of the notions of lifeworld and discourse ethics, it possible to argue that, towards the end the period of communication, Habermas recalls the importance of the principle of publicness, albeit in an undeclared manner. And, indeed, this return to publicness makes possible the third point of the triangle, the deliberative politics, as a synthesis of publicness and communication.

CHAPTER IV

DELIBERATIVE POLITICS AS A SYNTHESIS OF PUBLICNESS AND COMMUNICATIVE ACTION

The Triangle Model argues that the overall career of Habermas could be summarised in three distinct -yet interrelated- periods, each corresponding to a corner of a triangle. Accordingly, Habermas finds an answer to his first concern -how to link theory and praxis- in the idea of public use reason. Such a Kantian conception leaded him to study the historical features of the classical period of publicness, as well as the reasons of its decline. But when his study in this field arrived to a mature stage, he left his focus on classical publicness[29], for examining a much more comprehensive category, namely communication. Habermas supposes that, in contrast to the historical specificity of public sphere as the milieu of human interaction, adopting language as the milieu of human interaction opens much broader horizons for theoretical investigation.

Such a shift from one corner of the triangle -publicness-, to the other -communication-, corresponds to a certain extent, a turning point for Habermas from a period inspired mainly by Kant, to a period where Hegel is acknowledged as the figure of inspiration. By appropriating a research agenda focused on language and communication, Habermas reads more carefully Hegel's *Philosophy of Mind*, and internalises the idea concerning the necessity of interaction for the constitution of human identity. The milieu of such an

[29] Recall that, as it is stated in 2.1.1, Habermas conceives public sphere as a category that is typical of an epoch, that is late-seventeenth-century Great Britain and eighteenth-century France. Correspondingly, he refuses to abstract and generalise the notion of public sphere from the unique developmental history of this "civil society" [*bürgerliche Gesellschaft*] (Habermas, 1992a: xvii-xviii).

interaction is language.[30] Once such a perspective of human interaction and communication is underlined by Habermas, he became gradually distant from the isolated self of the Kantian "categorical imperative". During his studies on communication, one of his major questions was concerned with the ideal conditions of communication. However, a more important contribution of Habermas is brought by his attempt to answer another question: "how to produce moral norms by communicative rationality", in an era where the authority of the holy is gradually replaced by the authority of an achieved consensus (Habermas, 1992d: 77). In such an environment Habermas believes that only the discourse ethics could provide the basis for the production of ethical norms. Discourse ethics conceptualises morality, in an intersubjective way. This means, in the framework of discourse ethics, no authority external to the discussion process, namely any sacred or coercive authority, is accepted. For Habermas discourse ethics postulates that "only those norms may claim to be valid that could meet with the consent of all affected in their role as participants in a practical discourse" (1990: 197).

In effect, by conceptualising discourse ethics as such, Habermas reconciles two previous corners of the Triangle Model, or in other words he does two things at once: 1) He appropriates the rules of discussion observed in the classical age of the public sphere as the way to produce the morality. As he states in *The Structural Transformation of the Public Sphere*, in a discussion, the only dominant authority is the unforced force of the better argument, and no other authority such as specialisation or social status can be given any privilege (Habermas, 1992a: 259). This is the principle of publicity[31], and it is still valid in the framework of discourse ethics. 2) In his masterpiece of communication studies, *The Theory of Communicative Action*, Habermas explicates (at least) three validity claims that all parties of a communication process should obey. These are as follows: a) the statement made is true, b)

[30] See 3.1.1.
[31] This point was discussed in a detailed form in 2.1.3.

there is legitimacy of the speech act with respect to the existing normative context, and c) the uttered expression means the true intention of the speaker (1984: 99).[32] These three validity claims should be considered as they are outlined on the basis of equality of all parties of the communication process. And the communicative rationality generated in such a milieu is the essence of discourse ethics.

With the discourse ethics perspective Habermas once more approaches to a Kantian position. But this does not mean an ignorance of Hegel, because still the basic milieu of communication is perceived as language and human interaction. Therefore this means something more than the isolated self of the Kantian "categorical imperative". Moreover, by its intersubjective nature, discourse ethics does not repeat the premises of Kantian foundationalism.[33] But still Habermas considers his own effort as a part of Kantian way of thinking and he labels discourse ethics as a reformulation of Kantian ethics. Departing from the Kant's classical version, -"act only according to that maxim by which you can at the same time will that it should become a universal law"- in the reformulated version the emphasis is on the agreement or approval of all parties, who are potentially affected. In Habermas's words, the new categorical imperative constituted within discourse ethics is formulated as follows: "Rather than ascribing as valid to all others any maxim that I can will to be a universal law, I must submit my maxim to all others for purposes of discursively" (Habermas, 1990: 67).

Once Habermas combines his meditation about publicness with his formulations about communication, he directs his theory to a different level, which is law. Indeed, having developed discourse ethics, moving to theory of law is one step. Some early indicators of such a shift appeared since *The Theory of Communicative Action.* In this book, Habermas has already noted that morality and law are specifically tailored in order to check open conflict,

[32] For details, see 3.3.2.
[33] For a longer discussion on how Habermas criticise Kantian foundationalism, see 3.1.2.

and it is possible to talk about such a function, as long as they are shaped on the basis of communicative action (1992d: 173). This proposal of shaping law and morality on the basis of communicative rationality reaches to discourse ethics. This is the way that directing Habermas also to his theory of deliberative politics.

Deliberative politics could be defined in brief, as a method of producing legal norms in a discursive setting. Habermas offers this notion as a theory of democracy, alternative to the representative model of democracy. By deliberative politics he arrives to the last corner of the Triangle Model. Basic geometry argues the peak point depends on the two corners constituting the base of the triangle. Also in the Triangle Model publicness and communication are two corners that constitute the base and deliberative politics is dependent on both of them. As a result, in order to make the account of the Triangle Model, the focus should be on deliberative politics, and the first section of this chapter will be a discussion on the legal turn of Habermas, which constitutes the basis for his theory of deliberative politics.

4.1 Legal Turn in Habermas's Work

In the second half of the 1980s, a shift in Habermas's thought is observable. After this point, his study became more focused on legal theory. This shift corresponds to a move from the second step of the Triangle Model to the third one. And by following the naming of the move from publicness to communication as "linguistic turn"[34], it seems secure to entitle this change as a "legal turn". Although some indications of this legal turn were already observable in *The Theory of Communicative Action*, as well as his following works on discourse ethics, this turn appears most clearly in a lecture of 1986

[34] See 3.1.4.

entitled “Law and Morality”. A close reading of this lecture will be helpful to comprehend Habermas’s legal turn, better.

In the beginning of the lecture, Habermas criticises Weber’s concept of “legal rationality”, that is supporting a positivistic concept of law. In this Weberian viewpoint, the domain of law is legally institutionalised procedure, and to attain full rationalisation of the law, what is required is a clear separation of law and morality (Habermas, 1986). This position states that the sources of legitimation are different for law and morality, and law has its own rationality independent from morality. Moreover it adds that any kind of fusion between law and morality will threat the rationality of law. Habermas notes that, Weber perceived morality as a provider of substantive rationality, and this substantive rationality was the cause of threat to the formal rationality of law. In Weber’s thinking the formalism of law was consisted of three parts: establishing norms into clear and verifiable order, uniform structure of legal system, and law bounding both judiciary and administrative system. So Weber perceived the penetration of morality to the domain of law, as a danger for these three characteristics of formalism.

Weber’s understanding of the rationality of law is criticised by Habermas in several points. Habermas states that the way to legitimise the law is not making it purely formal, as Weber’s functionalist thesis is arguing, but on contrary, the semantic form of abstract and general law can be justified as rational only in the light of morally substantive principles. For Habermas, Weber’s error lies not in ignoring the moral core of civil law, but lies in qualifying all moral insights as subjective value orientations. He accuses Weber for not seeing the possibility of ethical formalism, which is compatible with the formalism required for the rationalisation of legal system.

Habermas concludes his criticism of Weber by making two final statements: 1) for legal discourse, it is impossible to operate within a closed universe of unambiguously fixed legal rules. 2) “Legitimacy is possible on the

basis of legality insofar as the procedures for the production and application of legal norms are also conducted reasonably, in the moral-practical sense of procedural rationality" (Habermas, 1986: 230). Having specified the moral-practical sense of procedural rationality as the source of legitimacy of legal domain, he emphasises the necessity of "deformalisation" of law, which is simply redefining its formalism with a morality produced in an intersubjective way. In other words, Habermas believes that Weber's conception of legal formalism, which has a certain influencing power in Western legal system, should be replaced by proceduralist theory of justice.

Habermas sees three serious candidates for such a procedural theory of justice, and all of them are in a way connected to Kantian tradition. 1) First one is the work of John Rawls, which tries to comply a contractual model with a new definition of original position. According to Rawls, the correct principles are obtainable by the rational egoism of free and equal parties of the contractual process. 2) The procedural theory offered by Lawrence Kohlberg acknowledges Mead's model of universal reciprocity in perspective taking. Idealised original position of the social contract theory is revitalised by stressing ideal role taking. Habermas assesses these models as insufficient because neither of them gives the burden of generating complete justice to the cognitive claim of moral judgements. 3) A third alternative comes from Karl-Otto Apel and Habermas himself. Compared to the first two candidates, the third alternative is different by not being a part of social contract tradition. They only proposed moral argumentation as the adequate procedure of rational will formation. Habermas indicates two points in order to make clearer how politics, law and morality is situated with respect to each other, in his understanding of procedural justice. Firstly, he defines the place of law as between politics and morality. This can be explained by the instrumental aspect of law. Habermas classifies moral norms as ends in themselves, but in contrast, legal norms can be set to realise political goals. Hence, with this

aspect solving conflicts is the only aim of law, and it is also a mean for the realisation of political program (Habermas, 1986: 246). Second, Habermas suggests that morality is not suspended above the law, but it is penetrated into the core of the positive law, without a complete merging. Thanks to this penetration without complete merging, a procedural law and proceduralised morality can mutually check one another (Habermas, 1986: 274).

At the very end of the lecture, Habermas makes a crucial point with respect to the legal turn in his thought.

> A legal system does not acquire autonomy on its own. It is autonomous only to the extent that the legal procedures institutionalised for legislation and for the administration of justice guarantee impartial judgement and provide the channels through which practical reason gains entrance into law and politics. There can be no autonomous law without the realisation of democracy. (Habermas, 1986: 279).

This point basically illustrates that the way to make law autonomous is not to overestimate the formalism, as Weber did, but is to establish a well structured democracy, where the will formation of the parties of communication process can turn to be legal norm. As a result, making the law autonomous as well as checked by morality makes the core of Habermas's legal turn. In this way, he arrives to the notion of deliberative democracy, because in his approach the realisation of democracy is not fully possible within republican or liberal models. Let me focus on his understanding of deliberative democracy.

4.2 The General Framework of Deliberative Politics

4.2.1 Comparative Definitions on Normative Models of Democracy

Habermas develops his idea on legal and democratic theory in his books, *Between Facts and Norms: Contributions to a Discourse Theory of Law and*

Democracy (1998a), appeared in German in 1992, and *The Inclusion of the Other: Studies in Political Theory* (1999), appeared in German in 1996. The best known notion of this period is surely deliberative democracy. "Deliberative politics" is simply a procedural model of democracy. In terms of answering "what is meant by 'deliberative politics'?" Habermas quotes F. I. Michelman's definition:

> Deliberation… refers to a certain attitude toward social cooperation, namely, that openness to persuasion by reasons referring to the claims of others as well as one's own. The deliberative medium is a good faith exchange of views -including participants' reports of their own understanding of their respective vital interests - … in which a vote, if any vote is taken, represents a pooling of judgments. (Habermas, 1999: 244)

As it is easy to recall, Habermas builds the idea of deliberative democracy on the basis of the unforced force of the better argument, a theme followed by him since his concern of publicness. In his famous article, that turned to be a classical piece, "Three Normative Models of Democracy" (Habermas, 1999: 239-252), he clarifies deliberative model by comparing it with liberal and republican models. This comparison gives the essence of his contribution to the theory of democracy.

The first level of comparison is about the democratic opinion and will formation. Accordingly, the republican model perceives the function of democratic will formation as the *constituting* element of society as a political community, as well as keeping the memory of this founding power. Liberal model perceives the function of democratic will formation as *legitimating* the exercises of political power. The state power is assumed to be legitimate because it is ruled by an elected government. Deliberative model brings a third idea into play: it perceives the function of democratic will formation "as the most important sluices for the discursive rationalisation of the decisions of a

government and an administration bounded by law…" (Habermas, 1999: 250). In this context, rationalisation is understood as something only possible by deliberation. Habermas remarks that the meaning of this kind of rationalisation is stronger than a mere legitimation, but weaker than a constitutional framework. Nevertheless, he does not understand deliberative rationalisation as a substitute for political system. Deliberation process should build itself as a subsytem without aiming to rule directly. Ruling is not the task of the public opinion or communicative power working via democratic procedures, but its task is rather to channel the use of administrative power in specific directions.

The second level of comparison is about *popular sovereignty* or in other words the bearers of sovereignty. Republican model understands the bearers of sovereignty as assembled people, -at least in principle-, delegation is not presupposed, "the people cannot let themselves be represented by others" (Habermas, 1999: 250). The delegation is not presupposed by the republican model, because constitutional power is not founded on citizens' representations, but it is founded on the citizens' practice of self-determination. In contrast to the republican model, liberal model takes a more realistic view: the constitutional state is accepted as an entity performing only by electoral system. Habermas examines these two models, in terms of *popular sovereignty* or the bearers of sovereignty, and remains suspicious because both of them perceive the state and society in terms of a whole and its parts. Indeed, at this point, the originality of deliberative model comes to the scene. It has an assumption of *decentered* society. In such a decentered society, the political public sphere functions as a meeting point of different social centers in order to detect, identify and interpret the problems affecting society as a whole. Deliberative model assumes that the communicative power springs from the interaction of those different centers, and it underlines that these interactions should be organised as legally institutionalised will-formation (Habermas, 1999: 251).

4.2.2 Three Domains of Autonomy

In the "Postscript" of *Between Facts and Norms* (Habermas, 1998a: 447-462), Habermas states another characteristics of deliberative democracy about the idea of self-determination: it makes citizens as authors of the law to which they are subject as addressees. This point is crucial with respect to the three basic characteristics of modern law. Modern law claims to be coercive, positive, and freedom guaranteeing. Coerciveness is connected with the average compliance. Positiveness is related to formalism. But these two characteristics do not provide a dimension for freedom guaranteeing. This third characteristic is coupled with a legitimate genesis of the norm. In the context of freedom guaranteeing characteristic of modern law, deliberative model gives the entire burden of legitimation to the democratic process. This is by its very nature, a postmetaphysical source of legitimacy. Such a "democratic procedure makes it possible for issues and contributions, information and reason to float freely; it secures a discursive character for political will-formation; and it thereby grounds the fallibilist assumption that results issuing from proper procedure are more or less reasonable" (Habermas, 1998a: 448). This specific procedure makes the subject of the law also the author of it, by privileging the communicative presuppositions, and therefore qualifies the modern law as a guarantor of freedom.

Here, it is seen that by this conception of modern law -as freedom guaranteeing-, Habermas is agreeing once more with Kantian formulation of freedom: being able to follow the norms declared by the self, being bounded by the by auto-norms, being autonomous. But this democratic procedure of deliberation is important not only because it leads people to freedom, but also because Habermas assumes an internal relation between the rule of law and democracy. This internal relation is maintained in the article "On the Internal

Relation between the Rule of Law and Democracy" (Habermas, 1999: 253-264).

In this article, Habermas states that the internal relation between the rule of law and democracy has been hidden for long time due to the competition between two legal paradigms that have been dominant up to the present: namely, the liberal legal paradigm and the social welfare model (1999: 261). As this substantial relation was obscured, political philosophy has never really been able to strike a balance between popular sovereignty and human rights, or between the "freedom of ancients" and the "freedom of moderns". According to Habermas, this failure of political philosophy is caused by these two legal paradigms above mentioned, which focused on the common attempt for guaranteeing the private autonomy as an independent phenomenon.

How to Establish Private Autonomy?	
Liberal Legal Paradigm	- Negative liberties - Private law society - Individual liberties for private competition
Social Welfare Model	- welfare entitlements - basic social rights
Proceduralist/Deliberative Model	- mutual presuppositions of public and private autonomy

The liberal legal paradigm forecasts to attain a private autonomy with an economic society, organised through private law, and regulated just by spontaneous working of the market. The social welfare model defends to arrive at private autonomy by a fair distribution of socially produced wealth and by attributing priority to basic social rights. In Habermas's words:

> The only dispute between the two paradigm concerns whether private autonomy can be guaranteed directly by negative liberties (*Freiheitsrechte*), or whether on

> the contrary the conditions for private autonomy must be secured through the provision of welfare entitlements. In both cases, however, the internal relation between private and public autonomy drops out of the picture. (1999: 262)

Habermas attempts to solve this old problematic of political philosophy -balancing popular sovereignty and human rights-, by offering a mutual presupposition of private and public autonomy, rather than taking private autonomy as a separate realm. To explain this mutual presupposition, he returns to the metaphor of being the authors and the subject of law simultaneously, and proves that there is an internal relation between the rule of law and democracy in four steps.

Citizen's Legal Autonomy or Establishing Law as Freedom Guaranteeing
-mutual presupposition of public and private autonomy-

Public/Civic Autonomy	Private Autonomy
- Being author of the law	- Being subject of the law as addressees
- Popular sovereignty "The principle of popular sovereignty is expressed in rights of communication and participation that secure the *public autonomy* of citizens."	- Rule of law "The rule of law is expressed in those classical basic rights that guarantee the *private autonomy* of members of society."
- Political rights	- Basic Human Rights

1) Firstly, he offers citizens' legal autonomy as the source of legitimation of modern law. Accordingly, the third characteristic of modern law -freedom guaranteeing- could be fulfilled, as long as the citizen's legal autonomy is established. In this context, he defines citizens' legal autonomy as the ability of the addressees of law to understand themselves at the same time as its authors (Habermas, 1999: 260). 2) He equates public autonomy, popular sovereignty and "author of the law" positions of citizens. This covers also the right of communication and participation to political/democratic process. 3)

He equates private autonomy, rule of law and "addressees of the law" position of the citizens. This covers full protection of human rights for citizens. 4) And lastly, he offers his own position entitled as proceduralist, discourse-theoretical or deliberative model: "the democratic process must secure private and public autonomy at the same time" (1999: 264), because "each form of autonomy, the individual liberties of the subject of private law and the public autonomy of the citizen, makes the other form possible" (1999: 257-258).

4.2.3 Two Mutual Presuppositions of Deliberative Politics

The Triangle Model argues those in order to reach the deliberative model, what are needed are a public sphere and a conception of communicative power. This is the point where the integrity and continuity of Habermas's project reveals itself. When he arrives to the third stage of his career he formulates a key question: "how communicative power ought to be related to administrative and social power" (Habermas, 1998a: 288). The same question can be asked with respect to the relation of publicness to administrative and social power. Here, I will offer some preliminary answers for these questions and the details will be provided by the next two sections: (4.3) will focus on the relations of political public sphere and deliberative politics, and (4.4) will focus on the relations of communication and deliberative politics.

In Habermasian sense, the essence of deliberative politics is procedural democracy. The basis of such a proceduralist perspective is a network of pragmatic considerations, compromises, and discourses of self-understanding and of justice. This discursive position borrows its normative content from the validity basis of action oriented to reaching understanding. In other words, the normative content originates from the structure of linguistic communication (Habermas, 1998a: 297). This shows how the communicative power should be related to administrative and social power, because this power is the linguistic bond that holds together each communication community (Habermas, 1998a:

306), and for this reason this linguistic bond deserves to be privileged as the essential source of norms.

But at this later stage of his career, Habermas conceptualises communication by acknowledging the role of public sphere. He argues, "proceduralised popular sovereignty and a political system tied into the peripheral networks of the political public sphere" (Habermas, 1998a: 298). This is an understanding of democracy different from the assumption concerning a social whole centred in the state. Here, it is seen once more how discourse theory is distanced from the philosophy of consciousness.[35] The discourse theory of democracy perceives society as a decentred entity, even though it accepts the importance of the political public sphere as an arena of the identification, and treatment of problems affecting the whole society. With such a perspective of decentred society a move away from philosophy of subject would also be possible (Habermas, 1998a: 301).

Although he observes some problems about existing public sphere, he does not abandon the potential of public sphere. The development of a pluralistic public sphere could be maintained within a framework guaranteed by constitutional rights, yet such a setting would not be sufficient to have completely free public sphere. Because he notes that, there is always a risk about channeling of public communication by mass media and flowing through different subset of the public sphere. These make public sphere vulnerable to interventions. But still it reserves its positions of being the medium of unrestricted communication, at least potentially. For Habermas, democratically constituted opinion- and will-formation depends on the fulfilment of this potential. The supply of informal public opinion is offered by Habermas as the major way to develop "unsubverted political public sphere". "The informal public sphere must, for its part, enjoy the support of a

[35] For a detailed discussion on how Habermas is critical about philosophy of consciousness and the importance of this criticism for his work on communication see 3.1 of this study.

societal basis in which equal rights of citizenship have become socially effective." (Habermas, 1998a: 308).

4.3 Deliberative Politics and Public Sphere

Upon a detailed analysis of public sphere in *The Structural Transformation of the Public Sphere* (1992a), Habermas, in *Between Facts and Norms* (1998a: 329-387), incorporates the publicness to his theory of democracy by adopting a political philosophy perspective. As his domain in the third stage of his work is mostly theory, he begins by giving an account of various sociological theories of democracy, and lists his criticisms.

The first concern of his criticism is *elite theory*. Habermas blames this theory for reducing the role of the democratic process to plebiscites between competing leadership groups. Once this position is internalised, politics is understood as the selection of leaders. In this context, an administrative system is assumed operating relatively independent of society. Habermas notes that the basic problem of this theory is that it does not answer how an elite theory could satisfy the interests of nonelites (1998a: 332).

The second concern of Habermas's criticism is *system theory*. He remarks that the system theory does not acknowledge the notion of individual and collective agency. It reduces society to a network of autonomous subsystems (Habermas, 1998a: 334). This theory is too much distanced from everything normative and influenced heavily by "realism". Due to this realism, system theory accepts all functional systems as autonomous by their own codes and their own semantics. As a result, a mutual translation could not be reached, and no direct communication with one another could be possible (Habermas, 1998a: 335). Within its realist horizon, system theory does accept this fragmentation as something factual and does not bring any normative perspective.

4.3.1 Elster's Influence on Habermas's Deliberative Politics

Another point of criticism is rational choice theory. Habermas comments that rational choice theory could not explain how strategic actors are capable of stabilising their social relations solely on the basis of rational decisions. In this context, Elster's contribution is valuable for Habermas because it handles the difficulties encountered by the rational choice theory (1998a: 336). The starting point for Elster could be summarised as the following: it is not realistic to assume all social behaviour as strategic action, possible to explain within egocentric utility calculations. Elster assessed much of the social and public choice literature, being focused on the so-called universally opportunistic behaviour. For that reason this literature could not meet with the real world, where honesty and sense of duty are still important notions. This framework led Elster to work for broader boundaries of rational choice theory, which would include socioethical commitment and moral reasons among preferences (Habermas, 1998a: 337).

In Habermas's perspective, Elster pursues this broadening in two successive steps: Firstly, he inserted *norm-regulated* action, besides *strategic* or purposive-rational action, which is oriented to consequences and steered by the individual's own preferences. Elster underlines that *norm-regulated* action is an elementary action type, because it implies something more than a strategic action. The difference between *norm-regulated* action and strategic action lies in the existence of orientation to expected consequences included by strategic action. In a way strategic action corresponds to *homo oeconomicus* and *norm-regulated* action corresponds to *homo sociologicus*. By this analogy, Elster criticises reducing society to a sum of calculable interests, and suggests perceiving it as an entity able to reproduce its own morality and norms.

Second, Elster refuses to reduce all processes of rational agreement to "bargaining", which may be conceived as equivalent to the negotiation of compromises (Habermas, 1998a: 338). In Elster's understanding, politics means something more than compromises based on credible threats. For this reason, he inserts "argumentation", as a mechanism to solve problems of collective action, beyond "bargaining". Argumentation includes not only reasonable, but also ethical-political arguments referring to the general welfare of the nation (Habermas, 1998a: 339). He sets "rational argumentation" and "threats and promises" as two main vehicles of reaching agreement. According to his perspective, "argumentation" is the criterion of validity, and "bargaining" is based on the criteria of credibility. Because "argumentation" is the criterion of validity, a new kind of communication and action coordination comes into play. In the "bargaining" process, parties can reach a compromise for different reasons. But in the "argumentation" process, the consensus appears, when an argument is accepted by all parties fro the same reason. Such type of consensus-generating force brings an impartiality that governs the practical discourse. Thanks to this idea of impartial assessment, the norms previously considered as irrational by the mainstream rational choice theory, could be inserted into the context of argumentation (Habermas, 1998a: 339).

With the help of Elster's contribution on "argumentation", Habermas arrives to another characteristic of communicative action. In *The Theory of Communicative Action*, Habermas talks about four types of sociological actions (1984: 87-101).[36] The first three are teleological/strategic action, normatively regulated action, and dramaturgical actions. These types of action conceive language one-sidedly, and acknowledge mostly its perlocutionary force. The fourth one is communicative action and in this type, language is a medium employed not for direct declaration, but in order to reach an understanding in a reflective way. With Elster's perspective on

[36] See 3.2.2 of this study.

"argumentation", Habermas formulates the way through which it becomes possible to produce a mechanism for solving the problems concerning collective actions. The possibility of such a mechanism is vital for deliberative politics. As the Triangle metaphor argues, communicative perspective developed in the second period makes the floor ready for a theory of producing norms and deliberation.

4.3.2 Debate on Willke's Neocorporatism

Elster's "argumentation" opens for Habermas new horizons in building the theory of deliberative politics. But he is well of the fact that there are certain obstacles that are blocking the possibility of argumentation. According to Habermas the theoretical reflection on these facts could be found in Willke's perspective on neocorporatism. It is possible to say that, Willke's position in the contemporary era is parallel to Hegel's position at the end of the classical period of publicness. As it is already stated in 2.3.1, Hegel believes in the advantages of corporatism as an alternative to the disorganisation of bourgeois society and he was proposing to limit the public discussion by transferring its function to a corporatist model of political domain (Habermas, 1992a: 117-122).

Habermas argues that within the context of current neocorporatism debates, Willke is not very different from Hegel who assigned to the corporations the task of mediation between civil society and the powers of the state. He asserts that Willke is revitalising Hegelian corporatism *Ständestaat*, without its monarchical head, because Willke is reintroducing the state as the guarantor of a neocorporatist social integration (1998a: 342). This guarantor state is supposed to supervise autonomous, active, and interdependent subsystems. And the crucial point is that these subsystems are not subjected to the primacy of the political system, but rather they are reshaped the political

decision mechanism. It is possible to summarize a society designed in Willke's perspective by following three points:

(a) In such a society, the intervention of supervisory state seems to being adopted the interventionist policy of economic planning. State ought to organise itself in order to intervene if a dysfunction occurs in any subsytem. The idea behind this interventionism is that state is not capable of direct intervention, which are costly in terms of research and innovations. So the best role that can be internalised by the state is collecting business consultations from different subsystems or sectors and developing strategies accordingly.

(b) In such a society, the task designed for law is not implementing goals in the form of targets, but it should function as a catalyst for self-monitored modifications.

(c) The neocorporatist perspective proposes to replace the democratic principle of one person one vote, by the decision mechanism composed of the representative of subsystems. This means a dramatic change in opinion- and will-formation process (Habermas, 1998a: 344-345).

Habermas first offers a general criticism for the Willke's neocorporatism and then puts forward his disagreement for each point paraphrased above. According to Habermas, such a neocorporatist project will lead to a less vivid and less vocal public sphere. As Hegelian corporatism was overlapping with the fall of the classical period of publicness, the neocorporatist project aims limiting the public power of citizens. Moreover this perspective does not reserve any special room for the "legitimacy" created or broken in the publicness, but rather adopts an understanding of "total system rationality". After these remarks, Habermas carries through his reply to three points raised by Willke.

As a reply to (a), Habermas accepts the fact that since Hobbes, for political philosophy it is problematic to establish coherence among different egocentric perspectives of self-interested actors. Willke suggests to solve this

problem by a supervisory state, but for Habermas there is no reason to be convinced why the task of coherence should be assigned to the state, and not to the society in general.

As a reply to (b), Habermas identifies the most important problem in the neocorporatist perspective as replacing the democratic constitutional state by Hegelian *Ständestaat*. This is a major problem because such replacement is damaging the individualistic basis of legitimation as well as basic individual rights.

As a reply to (c), Habermas believes that replacing representative democracy with a corporatist representation system based on the consultation mechanism of subsystems is based on a false assumption that "one can separate the professional knowledge of specialist from the values and moral points of view" (1998a: 351). This assumption takes ordinary voters, as they are unable to differentiate between personal interest and common good. But Habermas points out that there is no point in thinking that some specialists are able for such differentiation.

4.3.3 Circulation of Political Power: The Sluices Model

Having provided his criticism of elite theory, system theory, rational choice theory and Willke's neocorporatism, Habermas returns to the crucial question of *Between Facts and Norms* and offers an answer for it. This question was: "how to organise the circulation of power between different subsystems?" But before discussing Habermas's answer, it is necessary to see the background of the question.

For the most part, communication is perceived as a liberal value that should be respected, but no modern society is corresponding to the model of purely communicative social relations. The first reason for that is the asymmetry of public sphere in terms of the availability of information. There is no societies where the chances to have access to the generation, validation,

shaping, and presenting the messages are distributed equally. A social inertia or apathy to common problems complements this first reason. Second, the institutional design of the modern society aims proper functioning, thus it intends to reduce social complexity. By its very nature positive law is such an institution, but Habermas notes that not only positive law but also all institutional or organisational mechanisms are established to reduce complexity (1998a: 327). The basic reason for the existence of constitutional regulations is the same. The mechanism of reducing the social complexity could be designated as the "norms" meant in *Between Facts and Norms*. But the function of these mechanisms is not a mere fictional reducing of complexity, but it is more accurately "*countersteering measures* against a social complexity that *infiltrates* the normative presuppositions of government by law" (Habermas, 1998a: 327). The social complexity could be designated as (social) "facts" of *Between Facts and Norms.* The problem, which Habermas deals with, appears as how to organise the relations between facts and norms in a deliberative democratic manner.

Habermas finds the solution in Bernard Peter's model, which is abstracting the communications between different subsystems of a political system. Peter proposes to understand communication of different subsystems in a centre-periphery axis. The centre is composed by the administrative mechanisms, judicial system, parliamentary body, political elections, and party competition. This centre is functioning according to a formal decision-making process. According to Habermas's understanding of Peter's model the public sphere forms the periphery. This includes organisations representing group interests, public interests groups such as environmentalists, churches and charitable organisations. Opposed to the formal decision-making process of the centre, the periphery has a highly differentiated and cross-linked channels of communication (Habermas, 1998a: 354-356).

Once Peter set different subsystems as centre and periphery, the question of organising the circulation of power between different subsystems turns to be balancing the centre and periphery. Peter solves this problem by the "sluice model", which is welcomed by Habermas. This model is based on some influential information channels between the administrative mechanism and civil society organisations. In other words, the sluices are connecting the centre and periphery, in terms of checking and balancing. Habermas adopts this "sluice model" as a key component of his understanding of deliberative democracy. These sluices are functioning both as the realm of norms generation and as the milieu of deliberation. In comprehending the place of "sluice model" in deliberative democracy, it is needed to note that Habermas does not determine an equality between the centre and periphery in terms of administrative duties, and checking or balancing. He asserts that in the routines, where there is no specific problem or irregular events, the decisions and applications are taken and performed by the centre. But there is a serious need for a periphery, which is able to intervene at times of crisis. Habermas underlines that, when a conflict occurs, the usual convention should be replaced by another mode of operation, by the checking and balancing power of the peripheral civil society (1998a: 357).

Habermas quotes that, for Peter the "sluice model" is also a model of legitimation. Accordingly, in order to make a decision legitimate, this decision must proceed in opinion and will formation at the periphery. The "sluice model" does not privilege the centre as the unique authority to initiate changes. The periphery may also initiate an alteration. This has a vital importance for the idea of democracy, because with this principle, the periphery is not subordinated to the centre. In contrast, the sluices between centre and periphery are recognised as decisive for political development (Habermas, 1999: 356). By "sluices model", Habermas finds a core for his own theory of discursive democracy.

4.3.4 The Political Public Sphere

Long before adopting Peter's "sluices model", in his first important book *The Structural Transformation of the Public Sphere*, Habermas had already conceptualised public sphere as a mediating milieu between the state authority and the social realm. In this book he provides a diagram (Habermas, 1992a: 30), demarcating two realms. The first is titled as private realm, covering both civil society (realm of commodity exchange and social labour) and conjugal family's internal space. The second one is titled the sphere of public authority, which is basically the state institution. In *The Structural Transformation of the Public Sphere*, Habermas perceives the mediation of these two realms by the "public sphere in the political realm". This intermediary realm is consisted of the world of letters and market of cultural products.

When the key component of deliberative democracy the "sluices model" is taken into consideration, it seems possible to state that, parallel to its intermediation function in the classical model of publicness explained in *The Structural Transformation of the Public Sphere*, the mediation between the centre and the periphery is granted by the political public sphere. In other words, the sluices are working in the realm political public sphere. According to the Triangle Model, a deliberation process should dominate the political activities. This refers to the necessity of communication between the centre and periphery, and for the realisation of such a communication what is indispensable is political public sphere.

When Habermas focuses on deliberative democracy, as the third point of the Triangle Model, he understands political public sphere not only as a mechanism of warning the problems, limited to problem identification function. Moreover, he attributes to public sphere a role of "*influentially* thematize them, furnish them with possible solutions, and dramatise them in such a way that they are taken up and dealt with by parliamentary complexes"

(Habermas, 1998a: 359). In this context, Habermas considers the public sphere as an elementary social phenomenon just as social action, social actor, or collectivity. But he notes that the public sphere is an elementary social phenomenon which is eluding the concept of "social order" (Habermas, 1998a: 360). He notes two reasons for why it is not possible to think public sphere and "social order" together. First, he rejects to understand public sphere as an institution or an organisation. The word public does not connote the "public authority", it does not directly refer to the state. Related to the first one, second, Habermas rejects to understand public sphere as "a framework of norms with differentiated competences and roles, membership regulations, and so on" (1998a: 360). On that account, public sphere is a milieu with inclusive boundaries. Its basic quality is providing spaces for open, permeable and shifting horizons. On that account, Habermas does not offer a model of publicness based on a public sphere functioning by well-defined rules and regulations, accessible only to those who accept certain premises, and floor for only certain types of discussions. On the contrary, publicness model of Habermas is based on an open public sphere. The model is based on openness, and thus mastering a language is sufficient for the participation.

In the light of these basic principles, Habermas defines public sphere "as a network for communicating information and points of view" (1998a: 360). Thanks to its openness, the opinions expressed within this network may be either affirmative or negative attitudes. In the first corner of the Triangle Model, Habermas defined public sphere as all domains of the social life where public opinion can be formed (1992c). As a continuation of this perspective, in the third corner of the triangle, Habermas expects that these expressed opinions will unite into specified public opinions.

What is differentiating Habermas's perspective of publicness displayed in the first and the third corner of the Triangle Model has something to do with the weight given to the notion of communication. Whereas in the first corner

he was not reserving a special place for communication for describing public sphere, in the third corner he is defining public sphere as a social phenomenon "reproduced through communicative action" (Habermas, 1998a: 360). As it is reproduced through communicative action, the only criterion of entrance is to master a language.

As Habermas accepts communication as a basic constitutive human activity, he distinguishes public sphere as the encountering of persons who are acting communicatively. These people are sharing a space of a speech situation (probably not the ideal), and assume illocutionary obligations. The actors of these encounters attribute their correlatives a communicative freedom. On that account, he states that public sphere is constituted linguistically. In his own words:

> Founded in communicative action, this spatial structure of simple and episodic encounters can be expended and rendered more permanent in an abstract form for a larger public of present persons. For the public infrastructure of such *assemblies*, performance, presentations, and so on, architectural metaphors of structured spaces recommend themselves: we speak of forums, stages, arenas, and the like. (1999: 361)

Moreover, Habermas incorporates the universalisation principle of discourse ethics to his model of public sphere. The principle of universalisation acknowledges the participation right of all affected people into the discussion. According to the same principle, the political public sphere can be able to offer solutions for common problems only if is based on a communicative model open to "*those who are potentially affected*" (Habermas, 1998a: 365).

4.4 Deliberative Politics and Communication

The basic premise of the Triangle Model is that by arriving to the corner deliberative politics, Habermas initiates a synthesis of his two earlier concerns, namely publicness and communication. As the previous subsection implied, with the inclusion of the idea of deliberative democracy, he does not have a conception of publicness detached from communication, and *vice versa*. In his section, I will discuss how Habermas's understanding of deliberative politics is connected to idea and practice of communication, how communication is the indispensable medium of reproducing rights and norms. In the first subsection, the focus will be on illocutionary actions that are forming the public sphere (4.4.1); the second subsection will discuss the possibility of a discourse-theoretic justification of basic rights (4.4.2), and the section will be ended by discussing the relationship between communicative power and the genesis of law (4.4.3).

4.4.1 Illocutionary Obligations as the Constituent of the Public Sphere

Having developed the conception of discourse ethics, Habermas privileges "rational discourse" as a core component of both communicative action as well as lawmaking process. For him, "rational discourse" occurs in a medium of communication. And this medium of communication is the sum of information and reasons offered in the public sphere in an illocutionary obligation form. The meaning of the term illocutionary was provided by Habermas in his book *Communication and the Evolution of Society* (1979). Accordingly, *illocutionary force* is executing an action in uttering a promise, an assertion, or a warning, together with the corresponding sentences (Habermas, 1979: 34). Here, it is needed to develop a superficial division on actions. The first group of action can be named as physical actions. Any kind of bodily gestures, mimics, smiling, frapping, pushing are in the first group of actions. The second group corresponds to a more abstract level of action. These actions are not performed with gestures of physical movements, but

only by utterances. For those actions, saying something is not only declaring a position but also doing something. In his above-mentioned book, Habermas gives some classical examples of illocutionary: “I (hereby) promise you that I will come tomorrow”; “You are requested to stop smoking”, “I can assure you that it wasn’t I” (1979: 35).

On that account, in the third corner of the Triangle Model, Habermas conceives public sphere and the discussions that take place in it, as a sum of illocutionary actions. As it is already stated in the second chapter of this study, the publicness model of Habermas excludes any kind of physical force in the public discussions. So the only way to be a part of the public sphere, appears as uttering illocutionary sentences. By stating such sentences, participants of the public sphere declare their perspectives. An example would be helpful to illustrate better how the illocutionary sentences are constituting the public sphere. A person may utter the following sentence: “*I defend that any problem regarding the issue of privatization should not be taken as a technical matter closed for a public discussion, but every single aspect of the issue should be subjected to a general discussion of all potential affected.*” Such a statement is vital for the constitution of public sphere and it has an illocutionary character that can be explained in two points: a) no physical gestures would be able to explain such an idea. This kind of idea/argument could be explained only by the words. This is the power of verbal expressions vis-à-vis the nonverbal expressions. By this power of verbal expressions, in other words “illocutionarily abbreviated speech actions” (Habermas, 1979: 40), a public dialogue with abstract argumentation is possible. b) When a person utter such a sentence, by the assumption on his sincerity, she is bounded by her idea. The idea declared in the sentence becomes her position, valid at least for a specific time period. For these two reasons, public sphere, working on the principle of the “force of the better argument”, is constituted by illocutionary sentences.

In *Between Facts and Norms* Habermas incorporates the model of publicness formed by illocutionary sentences with "discourse principle" (D). He provides a definition for (D): "just those norms are valid to which all possibly affected persons could agree as participants in rational discourse" (Habermas, 1998a: 107). Then he clarifies four components of this definition. "Valid" means a non-specific normative validity. By "actions norms", he means general behaviour expectations observable in a social setting. He underlines "affected", because discourse principle has a validity only as long as every potentially affected people are involved in the norm generation process. Last, but not the least, by "rational discourse", Habermas means "any attempt to reach an understanding over problematic validity claims insofar as this takes place under conditions of communication that enable the free processing of topics and contributions, information and reasons in the public space constituted by illocutionary obligations" (1998a: 107-108).

The real significance of the discourse principle lies in the fact that when this principle is applied, the norms are justified by the equal consideration of all those who are possibly involved. This is crucial because, by this rule of justification of norms, discourse principle opens the way for "the principle of democracy". One of the four components of the above quoted formula, namely "affected", links the notion created in the second corner of the Triangle Model -discourse principle-, to the deliberative politics, which is a model for democracy. By giving the right of participating into the communication process, Habermas indeed bridges communication with democracy.

"The principle of democracy results from a corresponding specification of those action norms that appear in the legal form" (Habermas, 1998a: 108). This principle of democracy should be established as a procedure of legitimate lawmaking. This principle of democracy assumes that the lawmaking process is legitimate only if it can meet with "the assent (*Zustimmung*) of all citizens in

a discursive process of legislation" (Habermas, 1998a: 110). To put it differently, in a society or in a political unit where the principle of democracy is taken as the core principle of the system, people recognise every other people as free and equal member of the system. Moreover, it is accepted that every member of the system has joined to it voluntarily. In such a framework, both the right and the practice of individual self-determination is fully respected, and self-determination is understood within its performative meaning. This means that, the principle of democracy considers individuals as entities, who determine themselves by uttering their ideas and positions, in a medium of communication. Their stated expressions fix their positions in the ongoing debates. To put it differently, the principle of democracy first guarantees the freedom of speech of all people, and considers people's position by looking to the statements they make. No other thing, as hidden future project, no hidden goal not stated by themselves, could be allowed in the milieu of democracy.

With these premises, the principle of democracy establishes a procedure of legitimate lawmaking. In addition, this principle manages "the production of the legal medium itself" (Habermas, 1998a: 111). The principle of democracy has the responsibility of creating the *language*, that is going to serve as a medium for people. In such a medium, people could consider themselves as voluntary, free and equal partners of lawmaking process. And everybody would know that their position of voluntary, free and equal partners position is guaranteed by law. Habermas provides two further components of this principle, namely discourse-theoretical justification of basic rights and genesis of law by communicative power. Let me focus each.

4.4.2 Discourse-Theoretic Justification of Basic Rights

By offering the framework for discourse-theoretic justification of basic rights, Habermas puts forward how the second corner of the Triangle Model

-communication-, and the third corner -deliberative politics-, is linked to each other. In this perspective, communication is fundamental condition for deliberative politics, or in other words, democracy could not be actualised without the milieu of communication. As deliberative is basically a model for democracy, it is based on a series of basic rights guaranteed by positive law. In a deliberative democracy, every citizen accepts equal rights of other citizens. There is no doubt that the basic rights equally protect the "communicative freedom" of all citizens. Citizens may or may not enter into the public debate. When they prefer to be a part of such debate, they adopt themselves the role of communicatively acting subjects. This means they start coordinating their action plans on the basis of a search for consensus. And this consensus depends on intersubjectively recognised validity claims (Habermas, 1998a: 119).

At this point a caution remark is needed: this system of rights is not authoritarian in the sense that it obliges people to be a part of the public debate or communication process. Habermas notes that legally protected rights could suspend communicative action, because such a system of rights actualise private autonomy, by liberating individuals from the obligations of "communicative freedom" (1998a: 119). Here Habermas conceptualises private autonomy around the notion of negative freedom. In his understanding, people can enjoy a negative freedom "to withdraw from the public space of illocutionary obligations to a position of mutual observation and influence" (Habermas, 1998a: 120). In other words, legally granted liberties give everybody the option of *dropping out of* communicative action, to enjoy a privacy freed from the burden of communication. Certainly, neither deliberative politics nor the system of rights gives up the idea of considering the citizens both the addressees of law and simultaneously its authors. But the point here is that, law must not *compel* to take a position on the legitimacy claim of the law.

Following this caution, Habermas states that the principle of democracy can appear only as the heart of a *system* of rights. Here he is offering a new formulation to link the discourse principle with the principle of democracy. As it is discussed in the previous subsection, in *Between Facts and Norms*, he first established the link by inserting all potentially "affected" people into the "rational discourse" process (1998a: 107-108). His second formulation to link discourse principle with the principle of democracy operates through "legal institutionalisation". In his own words,

> (t)he key idea is that the principle of democracy derives from the interpenetration of the discourse principle and the legal form. I understand this interpenetration as a *logical genesis of rights*, which one can reconstruct in a stepwise fashion. One begins by applying the discourse principle to the general rights to liberties -a right constitutive for the legal form as such- and ends by legally institutionalising the conditions for a discursive exercise of political autonomy. (Habermas, 1998a: 121)

When the discourse-theoretical justification of basic rights is adopted as fundamental component of deliberative politics, the criterion to test the legitimacy of laws changes. The criterion is not any more the *form* of individual rights. The new perspective for the system of rights is that *each person* should have the greatest possible measure of *equal* liberties. Then Habermas formulates this new criterion as "the rights of each (to) be compatible with equal rights for all" (1998a: 124).

4.4.3 Communicative Power and the Genesis of Law

In the previous subsection, it has been stated that Habermas attributes a special importance to legal institutionalisation. When he arrives to the notion of communicative power and the genesis of law, he proposes to take legal institutionalisation together with the rights of political participation. Here he means by legal institutionalisation, a specific guarantee for public opinion and will-formation about policies and lawmaking process. This public process is

considered to be a communication based process, and he underlines that the process should be governed by discourse principle. He assumes a double role for discourse principle, both in *cognitive and practical sense*: first, in *cognitive sense*, the discourse principle must filter different reasons and information, in a way that the possible outcome of the debate may reach to rational acceptability. In *practical sense*, the discourse principle guarantees a "violence-free" political public sphere. This principle covers any kind of public debate including parliamentary bodies and establishes a milieu where mutual understanding is predominant (Habermas, 1998a: 151).

Habermas assumes that the legislative activity functioning under communicative power is the basic condition for deliberative politics. *Free choice* (*Willkür*) of actors is the determinant of legislative activity as well as other public debates. A debate based on free will is the best way for self-understanding of individuals and groups who are part of the debate. He conceives this process as a hermeneutical process:

> Insights promoted in ethical-political discourse can change a group's hermeneutically clarified self-understanding and, along with this, its identity as well; in justifying serious value decisions, acts of resolve are induced by insights, for here arguments meet up with the striving for an authentic way of life. On the other hand, such hermeneutically enlightened resolutions also express the affirmation of a form of life in the light of critically appropriated traditions. (Habermas, 1998a: 163)

By establishing ethical-political discourse as a hermeneutical process, Habermas argues that the form of life, where the parties of the dialogue process find themselves, has a determining power. This determining power means the appropriation of the tradition. Yet, this is a critical process of appropriation, because for Habermas entry into moral discourse demands one step back from all contingently existing normative contexts. No norm could be

internalised as taken-for-granted. Every norm should be produced as a result of common commentary process.

4.5 Concluding Remarks

The Triangle Model argues for a general continuity in Habermas's overall project. According to this model, despite the linguistic shift/turn that had occurred between his studies on publicness and studies on communication, by the deliberative politics, Habermas unites his previous theoretical contributions around a model for democracy. When he starts to talk about the deliberation process, from the definition that he adopted from Michelman, it is possible to see that both publicness and communication are *si qua non* conditions of this process. As it is stated in *The Inclusion of the Other*, deliberation is mostly based on two components: a) openness to persuasion by reasons; b) good faith in exchange of views (Habermas, 1999: 244). The first component refers to publicness and the Kantian principle of publicity. The second component refers to communication and human interaction. By these two components, Habermas formulates his deliberative perspective.

This deliberative perspective is a normative model of democracy. It corresponds to an answer to the failures of the existing representative democracies. The main problem about the existing representative democracies is that they are making a strong differentiation between the rulers and ruled. In the representative system, citizens do not have a forceful access to either legislative nor the executive process. In addition to the structural failures of representative system, the politics becomes more isolated to group of profession due to the scientization. By this process, where at the end governing is perceived as a technical problem, democratic process losses its significance.

Deliberative democracy, developed by Habermas, is a response to all these problems concerning democracy. As a response to the strict division between ruler and ruled, deliberative democracy inserts a model supposing the citizens the author of law and subjects of law simultaneously. This perspective argues that every norm, regulating people and society, should be the product of a deliberation process open to everybody. As a direct component of this supposition, no subject is left outside the deliberation process; and this is a response to the scientization of politics.

CHAPTER V

CONCLUSION:
THE TRIANGLE MODEL FOR A DIALOGICAL DEMOCRACY

The Triangle Model developed in this study aims to offer a general framework, to make Habermas's work more accessible, by offering an account of its major endeavours. This means, during this study, both the discontinuities as well as continuities between different works of Habermas are underlined. According to the main argument of the Triangle Model, although the discontinuities are remarkable to a certain extent, it is possible to find some major points of continuity in Habermas's career. In case of Habermas, there are no specific lectures or interviews in which he has gathered all of his theoretical aims. The exception is his article titled "Further Reflections on the Public Sphere" (Habermas, 1992e), which is written for the volume edited by Craig Calhoun. In this article, he talks about the relations of publicness and communication, together with their links to democracy. He mentions the "political public sphere", as a "quintessential concept denoting all those conditions of communication under which there can come into being a discursive formation of opinion and will on the part of a public composed of the citizens of a state" (1992e: 446). But even in this article, he does not discuss why these three key elements of his theoretical work necessitate each other and how they are interdependent. For this reason, the Triangle Model could be contributory to our understanding of Habermas's overall intellectual project.

The Triangle Model pays attention to three distinctive points of focus in Habermas's overall project. The first is publicness, mostly developed in his book *The Structural Transformation of the Public Sphere* (1992a). The Triangle Model suggests a breaking point between the first and the second points of focus: the second focus on communication is based on a completely different perspective in comparison to publicness. This new concern is mostly formulated around the notion of communicative action, in his book *The Theory of Communicative Action* (1984, and 1992d). Yet, it can be argued that, the discontinuity between publicness and communicative action is removed by the third concern, which is deliberative politics. The unity is best observable in his book *Between Facts and Norms: Contribution to a Discourse Theory of Law and Democracy* (1998). Hence, the Triangle Model sees the completion of his overall project with this last topic of concern.

In his work on publicness, Habermas deals firstly with the classical era of publicness, which was the late-seventeenth-century Great Britain and eighteenth-century France (1992a: xvii-xviii). This classical publicness was transformed from the representative model of publicness, where the statue symbols became publicly visible. But when the barriers of the old representative model of publicity were removed, an egalitarian conception of publicness became possible. Both in this passage from old model to the new one, and in the egalitarian aspect of the new publicness, public debates open to all, had a definitive role. In this classical publicness period, no area was privileged, including philosophy, literature or art. Naturally any common problem is included by the process of discussion. Everybody has the right to participate into the discussions about common problems. An egalitarian basis dominated these discussions. No title, no position, brings an advantage to the participant. Only the authority of the better argument was respected. By the acceptance of the authority of the better argument, every kind of physical force is left out of the discussion process. Habermas underlines that in such an

atmosphere, truth appeared as a process (1992a: 259). This is an intersubjective perception of truth, and the defence of such perception shows continuity in all his later works.

Habermas's uninterrupted position in favour of the intersubjective theory of truth is indeed sufficient to prove the continuity in his overall project. But this is not the only point supporting the continuity thesis. It is also possible to observe a continuity, in dealing with the question "how to produce legitimate laws". He states that with the classical period of publicness, Hobbes's claim "authority makes law" was replaced by the dictum "truth, not the authority makes law" (*veritas non auctoritas facit legem*) (1992a: 53). This means that the personal authority and control of physical power of a monarch is not any more recognised as the legitimate source of legal norms. The personal will of monarch in issuing the law was gradually replaced by public opinion. In this new era (classical publicness), public opinion -and its basis, public discussion- have been accepted as the only legitimate sources of law. This statement will be repeated in a more refined manner in demarcating the third corner of the Triangle Model, deliberative politics.

When Habermas's work became mature, a shift in his theoretical orientation is observable. This shift creates a discontinuity between the first and the second corners of the Triangle. This shift is about defining medium of communication. In the first corner of Triangle, the medium was defined as public sphere. During his earlier focus, he concentrated on public sphere both in the context of historical analyses as well as different theoretical approaches to public opinion. Later he begins to reflect on the insufficiency of public sphere as a level of analysis, and he begins to concentrate on the new medium of communication, which is language. As Thomas McCarthy (1984) indicates, after *The Theory of Communicative Action*, language begins to arise as the basic medium of communication.

I have argued that this shift corresponds also to a shift from a Kantian to a more Hegelian perspective. In the publicness-oriented outlook, Kantian "force of the better argument", "principle of publicity" and "categorical imperative" were frequently employed. These concepts rested upon a notion of autonomous individual, who uses her/his public reason. By his reading of Hegel, Habermas seems to have been persuaded about the deficiencies of the Kantian model. Rather he seems to be agreeing with Hegel who emphasises that the self or the individual is constructed by his interaction with other selves or individuals. These interactions cover, but are not limited to labour process or other types of social interdependencies, but they occur in the medium of language. Only through language, the self becomes the self, and he/she discovers the realities of social world. By this Hegelian influence, a linguistic turn became even stronger in Habermas's theory.

In the second corner of Triangle Model, where the focus is on language, Habermas derives his framework from two basic sources: the notion of "linguistic competence" of Chomsky and the analytical philosophies of Austin and Searle. According to the linguistic competence, every adult has the ability to master a language. This is the egalitarian basis of language, and it includes the competence of every individual. In this framework, Habermas searches for the validity basis of speech acts. Accordingly, if a person, who engages into a communicative process and thereby aims to reach an understanding, should obey the three following validity claims: the statement made should be true, the speech act should be right in the given normative context, the intention of speaker is same with the expression of the speaker (Habermas, 1984: 99).

Together with validity claims of speech acts, Habermas also formulated the rules of argumentation. In this context, he states that for an argumentation that will reach to genuine results and common understanding of parties, no speaker should contradict herself. Again, a correspondence between the

assertion and beliefs of the speaker is a necessary condition. On the egalitarian and free basis of argumentation no speaker may be prevented by any kind of coercion (Habermas, 1990: 87-89).

When these two Habermasian concerns on communication, namely validity basis of speech acts and the rules of argumentation are taken into consideration the discontinuity between the first and second corners of the Triangle Model becomes more manifest. Whereas in *The Structural Transformation of the Public Sphere*, he was formulating the rules of debate along the principle of publicness, in his theory of communicative action he chooses to derive the rules of argumentation on the basis of speaking actor. But towards the end of his communication period Habermas makes a modification so as to include the notion of a communal responsibility to the communication process. This modification results in discourse ethics.

Discourse ethics has a cognitivist claim; in the sense that moral claims to validity can be tasted; i.e., moral actions are not merely subjective or capricious choice. It aims to bridge the norm and people restricted by this norm. Such a bridging principle makes consensus possible. Discourse ethics works by two principles: principle of universalization (U), and principle of discourse ethics (D). According to the (U), the legitimacy of a norm depends on its acceptance by all affected people. By this way, the principle aims to anticipate the satisfaction of everyone's interest. According to the principle of discourse ethics (D), a norm is valid as long as it receives the approval of all affected in their capacity *as participants in a practical discussion process* (Habermas, 1990: 66). Consequently, discourse ethics refers to something more than the validity basis of speech act, it relies on the public ground, because its major aim of bridging norms and people who are bounded by this norm is inevitably an issue concerning publicness and politics. In a way, Habermas's contribution of discourse ethics is an answer to the question of

"how to produce legitimate laws", which was also in his agenda in the first corner of the Triangle.

Thus, the discontinuity between the first and the second corners of the Triangle is compensated by the theory of deliberative politics. It is possible to see how these seemingly disconnected theoretical investigations arrive at the main problematic of "how to produce legitimate laws". As it is stated, both the first and the second corners of the Triangle were attempts to answer this question. The answer provided by the first corner, -the publicness period-, was an answer around the notion of "the force of the better argument". The answer provided by the second corner, -the communication period-, was the acceptance of discourse ethics. Deliberative politics, a normative model of democracy, aims to provide a more sophisticated answer to the same question.

Deliberative politics answers the question "how to produce legitimate laws" by making citizens the authors of the law to which they are subject as addressees (Habermas, 1998: 447-462). In other words, people will participate to the process where the norms are produced in a much more direct manner than the actual representative democracies. Deliberation means, above all, a common discussion process, open to everybody on an egalitarian and freedom-guaranteeing basis. Such process necessitates openness to persuasion by the force of the better argument.

Deliberative politics acknowledges and refers back to the perspectives developed in the first and second corners of the Triangle. It internalises the principles of publicity on the one hand, and the rules of argumentation, the principle of universalization (U), and the principle of discourse ethics (D), on the other. To put it differently, deliberation, as a type of communication, will take place in the political public sphere. Also, the principles derived in his works on communication are necessary for a more participatory model of democracy. It assumes a *decentered* society. In such a society, the political public sphere functions as a meeting point of different social centers in order

to detect, identify and interpret the crucial problems affecting society as a whole. Deliberative model assumes that the communicative power springs from the interaction of those different centers, and it underlines that these interactions should be organised as legally institutionalised will-formation (Habermas, 1999: 251).

There still remains another question: where does the originality of Habermas lie? As a short and very direct answer, it seems fair to argue that the originality lies in his way of grounding democracy. By the deliberative model, offered as the third corner of the Triangle, he develops a normative model of democracy.

In the literature of political science and political philosophy, democracy is perceived as a mechanism with certain deficiencies, but also as the best regime among its alternative. The common definition of democracy covers the idea that the people should rule themselves. There are two main approaches. One understands democracy as a compromise between the interests of people, or different groups. The other comprehends democracy as an aggregation of individual choices. Here lies the originality of Habermas: he avoids conceptualising democracy either as a compromise between different interests, or as aggregation of choices. He derives his model of democracy from language.

In most mainstream approaches to democracy free communication is underlined as a *sine qua non* for democracy. But for Habermas free communication or communicative action is not an external requirement of democracy. Rather it constitutes the essence of democratic mode of participation and law-making.

Here, it is possible to see that Habermas derives his model of democracy from analytical philosophy, which seems totally irrelevant for political philosophy, at first glance. As it has been already discussed in the third chapter of this study, Austin's contribution by "illocutionary act" refers

to actions performed only by utterances. In other words, in case of illocutionary act, doing things is possible only by saying something. The classical example for illocutionary act is the sentence "I promise". The act of promising is possible by merely uttering this sentence. On that account "illocutionary act" has a crucial role in deliberative model; because the discussions in the political public sphere are pursued by arguments. Any title, any secret knowledge, any aristocratic position, or any ability to mobilise physical force is excluded from the discussion process. They cannot add anything to the value of the presented argument, or *vice versa*, their absences do not reduce the value of the presented argument. Therefore, deliberative process functions on the basis of illocutionary force of the milieu of language.

While deriving his model of democracy from language, Habermas also refers to the performative force of language. Searle's contribution on performatives assumed that certain utterances are potentially causing an effect, or result on the counterpart. While illocutionary acts are uttered without taking the counterpart into consideration, performatives are aiming to create an effect on the audience. The performative power of language has a crucial role for deliberative model; because in a deliberative process two capacities have determining power: a) participants are open to be persuaded when their counterpart offers a better argument, and b) they offer their arguments to persuade others. In other words, creating an effect on the counterpart, only by the force of the better argument is the common aim for all parties. Consequently performative force of the linguistic milieu is also indispensable for deliberative democracy.

By this incorporation of illocutionary and performative forces, the Habermasian model of democracy becomes a dialogical one. The dialogue and the process of deliberation are the basis of this democracy. The intersubjective theory of truth is employed here, once again. The dialogue process, as the basis of democracy, could be outlined as a cooperative search for truth

concerning social problems whether they are actual or potential. Needless to mention, such notion of truth is not metaphysical, or the truth of selected elites. But this is a truth, as a set of perspectives constructed in the process of deliberation by communality of participants. The openness to be persuaded by the force of the better argument makes the process a cooperative search for truth.

If the first point about the originality of Habermas concerns the analytical/linguistic connections he makes, the second point concerns his conceptions of dialogue and communication. Habermas attempts to transform dialogue and communication into the spheres of cooperative search for truth. As Alphonso Lingis states, communication has been classically conceived as an *agon*, a contention between interlocutors. Within this classical and usual framework of communication, different parties perceive the other parties as their adversaries. Within the dialectics of demand and response, statement and contestation, parties oppose one another. In such a setting, communication is seen as a continuation of violence with other means. This is why, the development of knowledge is named mostly in military terms, such as *hunt*, *raid*, *strategy*, *battle*, and *conquest* (Lingis, 1994: 70). Also, Michel Serres argues that since the Platonic dialogue, communication has been a process to silence another (quoted by Lingis, 1994: 71).

Habermas aims to reconstruct this agonistic communication and dialogue under a cooperative search for truth in three successive steps: first he enumerates different types of language use, where communication is employed in its classical framework. These are teleological/strategic action, normatively regulated action, and dramaturgical action. According to Habermas all these types of action conceive language one-sidedly, and all assume communication as an area of struggle. By breaking up with these one-sided conceptions of language Habermas develops the notion of communicative action. While first three types of language uses correspond to actual facts observable in daily life,

the communicative action is mostly a normative suggestion. When communicative action is internalised, language will be the medium of unabridged communication process. The communicative action will be the milieu for different realms of the objective, the social, and the subjective. In this intersection point of different realms, parties of the communication process are expected to reach a common understanding in the framework of validity claims of speech act. The aim is not to determine the winner, as it is the case in debating team contests. Opposed to the one-sided conceptions of language, communicative action takes multiple functions equally into consideration. This is the basis upon which communicative action could lead to a genuine and egalitarian dialogical atmosphere among the people of modern societies.

Consequently, Habermas's normative suggestion concerns the procedure of interaction among human beings that are capable of communicating thanks to their universal ability for language. In a dialogical process, a person should not regard only her owns arguments, but also remains respectful to the arguments voiced by others. This is the *inclusion of the other*, to a common search of truth.

When Habermas theorises such an *inclusion of the other*, he then reformulates the Kantian categorical imperative. In its classical version the Kantian dictum was "act only according to that maxim by which you can at same time will that it should become a universal law" (Habermas, 1990: 197). In Habermas's reformulated version the emphasis is on testing the argument offered by others and aiming to reach an agreement in this way. In his own words:

> Rather than ascribing as valid to all others any maxim that I can will to be a universal law, I must submit my maxim to all others for purposes of discursively testing its claim to universality. The emphasis shifts from what each can will

> without contradiction to a general law, to what all can will in agreement to be universal norm. (Habermas, 1990: 67).

The reformulated version assigns a cooperative character to the argumentation process; in other words, it inserts the dialogue into the monological categorical imperative. Once a dialogical dimension is adopted, the argumentation process incorporates the reasoning of others, without sacrificing the viewpoint of the individuals.

With this new version of the categorical imperative, the peak point of the Habermasian dialogical model of democracy is reached. At that point, it is needed to say that in all these theoretical efforts, Habermas was not distanced from the realm of politics. Indeed, he is offering a new normative framework for the concrete realm of politics. This is mostly observable in his perception of power.

In the classical usage, the notion of power refers to the capacity of influencing the will of another. This capacity covers the choice of appropriate means to realise a certain goal. But Habermas departs from such conceptualisation of power, by introducing Arendt. In Arendt's perspective, the fundamental phenomenon of power is not the instrumentalization of *another's* will, but the formation of a *common* will in a communicative framework. The importance of her contribution lies in the following reason: her model of action suggests a strict separation between "power" and "force". With the declaration that force can never constitute a legitimate ground for political coexistence, the major regard of the model becomes the agreement. In communicative action model, agreement is taken as an end in itself and it cannot be instrumentalized for other ends (Habermas, 1977).

On these general remarks Triangle Model I offered enables us to assess better the entire Habermasian project. This model is helpful in understanding the work of Habermas. From such and angle publicness, communication and

deliberative politics seem to constitute a whole, which is not easily observable, if his works are read on their own, separately. On that account, one of the basic premises of the Triangle Model could be stated as the following: it is not possible and fruitful to consider publicness/public sphere, communication and deliberative democracy without paying attention to their interdependencies. All these three notions necessitate the existence and functioning on the other two.

When the publicness and public sphere is considered, it is not sufficient to examine the structural boundaries of it, whether inclusive or exclusive in terms of the participants in public discussions. Examining the public sphere in terms of the subjects of debate in this milieu is not sufficient, either. Above all, public sphere is a milieu functioning as long as there are some people in it, who perform communication. Otherwise, when the human factor is withdrawn from it, by its spatiality (as in the case of the city) or by its institutionalised process (as in the case of the press) public sphere ceases to cultivate the potential that may lead us to the formation of public opinion. This means that what makes public sphere, the milieu where the public opinion can be formed, is the communication of human beings. For that reason, the type of communication in a public sphere is essentially important to understand the characteristic of this public sphere. To illustrate, to question whether a public sphere is offering a specific a type of speech, which means institutionally bound speech acts, or it covers any type of speech is extremely crucial in order to understand the nature of that particular public sphere.

Same set of argument is valid for the case of communication. When the public dimension of communication is underestimated, there will be something missing about it. Although, we can talk about the universalism of communicative ability, which is an egalitarian basis for all adults, because of the natural limits of human beings, as well as the limits of temporality and spatiality, every communication is taking place on a given platform. In this

platform, which is the milieu of communication, only limited people can meet with each other, and they can communicate in limited number of topics. All these limits are determined to some extent, by the structure of the communication platform. On that account, communication should always be taken as an act, which is performed by human beings, within a social context. This makes it vulnerable, to several influences coming form the public. The social setting attempts to influence the context, the content, the limits, and the potential influences of every communication. Moreover it attempts to determine the milieu of communication. Hence, despite the egalitarian basis of universal communicative ability, every communication is, in one way or other, is limited by the public sphere. Consequently, without paying attention to the public sphere, the essence of communication could not be understood.

Having established the reciprocal interdependency of publicness and communication, we can state that both these notions are common to all human beings. This commonness to all human beings leads to the fact that they are also dealing with the common problems of society. Both the debates in the public sphere and communication could serve to solve the common problems of society. They could be employed also to regulate the society; they may be used to produce the norms that will govern the human community. This is the point, where the mutual reinforcement of publicness and communication turns into deliberative democracy. Thanks to its comprehensive character, communicative ability functioning in the public sphere has also a political aspect. By this political aspect, participants of public discussions decide about the norms that will govern and regulate the society. This is where the people become the author of the law as well its addressee.

Consequently, the deliberative politics necessitates both publicness and communication. And this brings us once more to the Triangle Model. The basic teaching of this model could be stated as the proper understanding of

publicness, communication and democracy, necessitates the consideration of this threefold relationship.

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