
UNIT 3 DISCOURSE ETHICS

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3.0 OBJECTIVES

Ethics is a general term for what is often described as the “science (study) of morality.” In Philosophy, ethical behaviour is that which is “good” or “right.” Assumptions about ethical underpinnings of human behaviour are reflected in every social science, including: anthropology because of the complexities involved in relating one culture to another, economics because of its role in the distribution of scarce resources, political science because of its role in allocating political power, sociology because of its roots in the dynamics of groups, law because of its role in codifying ethical constructs like mercy and punishment, criminology because of its role in rewarding ethical behaviour and discouraging unethical behaviour, and psychology because of its role in defining, understanding, and treating unethical behaviour. These disciplines pose the challenge of the quest for identity as well. The tendency of a pluralistic international society following the worldwide digital networking web culture is a reflection upon the consequences of the different possible interpretations of the interaction between the local and the global and the question of citizens' participation raise the need for deliberative democratic theory and discursive ethics. This is the core of discourse ethics which forms one of the divisions of ethics. Hence this unit aims at producing the discourse ethics which attempts to arrive at practical standards that tell us right from wrong and how to live moral lives. This may involve articulating the good habits that we should acquire, the duties that we should follow, or the consequences of our behaviour on others.

3.1 INTRODUCTION

Discourse ethics is a theory designed to establish the right, moral and political principle. The right principles are those that emerge by means of a certain process taking place under specified ideal *conditions*. The process in question is communication, i.e. exchange of information and opinion between people. The conditions are: 1) the parties should regard each other as equals; equal regard

should be given to the interests of all participants; 2) there should be an absence of direct constraint or force and of indirect, institutionalised or structural pressure; 3) the only admissible form of persuasion should be rational argument; 4) no assumptions should be immune to inquiry; 5) assumptions can be taken as accepted only if all the parties agree; 6) the communication should be open-ended in the sense that no authority could declare an issue settled for ever. The first of these conditions spells out a moral constraint, while the others spell out constraints of rationality. Actual communication is not ideal, but it is sometimes possible to envisage what the outcome would be if such conditions were fulfilled, wholly or approximately, and this makes it possible to understand what the right principles would be. It is sometimes called argumentation ethics, referring to a type of argument that attempts to establish normative or ethical truths by examining the presuppositions of discourse.

German philosophers Jürgen Habermas (1929-) and Karl-Otto Apel (1922-) are properly considered as the leading proponents of discourse ethics. Immanuel Kant's Deontological theory which emphasises on the universality of morality remains a prototype to Discourse Ethics. Habermas' discourse ethics is an attempt to explain the implications of communicative rationality in the sphere of moral insight and normative validity. It is a complex theoretical effort to reformulate the fundamental insights of Kantian deontological ethics in terms of the analysis of communicative structures. This means that it is an attempt to explain the universal and obligatory nature of morality by evoking the universal obligations of communicative rationality. It is also a cognitivist moral theory, which holds that justifying the validity of moral norms can be done in a manner analogous to the justification of facts. However, the entire project is undertaken as a rational reconstruction of moral insight. It claims only to reconstruct the implicit normative orientations that guide individuals and it claims to access these through an analysis of communication.

3.2 KANTIAN DEONTOLOGICAL ETHICS

Deontology is ethics of duty or the moral law of duty. It consists of a theory of duty and moral obligations. The term deontology finds its etymology in the Greek word "*Deon*", meaning 'duty,' or 'obligation,' or 'that which is necessary, hence moral necessity'. In moral philosophy, deontology is the view that morality either forbids or permits actions, which is done through moral norms. Simply put, the correctness of an action lies within itself, not in the consequences of the action. This lies in contrast with teleology. For example, a deontological moral theory might hold that character assassination is wrong and inhuman, even if it produces good consequences. According to this theory, some actions are morally obligatory irrespective of their consequences. Historically, the most influential deontological theory of morality was developed by the German philosopher Immanuel Kant (1724-1804). He did not agree with what he had heard of Utilitarianism and thought that morality rarely had anything to do with happiness. Kant holds that the moral life does not have any place for feeling, emotion or sentience. A moral life is rational life. He started by asking what it is that distinguishes a moral action from a non-moral action one. He concluded that a moral action is one which is done from a sense of duty, rather than following inclinations or doing what we want. Kant grants purity to only one feeling and that is faith in the moral law. But this is not actually emotion. He looks upon every emotion as

immoral. He always begins with the assertion that humans are rational beings. People have 'Theoretical Reason' to enable them to perform complex cerebral tasks like mathematics and logic. They also have 'Practical Reason' to service their 'good will'. 'Good Will' is the motive that produces our determination to be good people and our practical reason helps us get there.

Duty

In Kant's opinion, moral law is a categorical imperative. There is no law or authority over it. A duty is always a duty, and duty is obligatory. It should be done any way. This is why he is often called a Deontologist or believer in duties. Duty is an ethical category denoting a special form of moral obligation. It is a kind of moral obligation applied to every individual. It is an *a priori* moral law. It is one's motivation. The moral law must be obeyed without consideration of ensuring consequences. According to Kant, doing our duty means always obeying certain compulsory moral laws or 'imperatives', even if these laws may often seem tiresome or inconvenient to us personally. Being good is hard. It usually involves an internal mental struggle between what our duty is and what we would really like to do. Kant implies that a naïve, rich young man who spontaneously gives money to beggars is not a moral person. Although the consequences of his instinctive generosity are obviously good for local beggars, he has no idea of what his moral duty is. He is like a child who accidentally makes the right move in volleyball. He has no inner understanding of the game's rules or purposes. Morality for Kant is a serious business. It involves choosing duties, not wants, motives and not consequences are the central distinguishing feature of a moral action. Morality is not about doing what comes naturally, but resisting what comes naturally.

Kant explains how we can find out what the compulsory moral rules are. We work them out, not by asking ourselves what we would like to do, but by using our reason. He asks us to imagine what would happen if we 'universalised' what we wanted to do, always making sure that we treated people as ends and never means. Say we wanted to steal. If everyone stole from everybody else all the time then not only would society collapse rather rapidly but, the concept of 'stealing' would itself enter a kind of illogical black hole. By using our reason and the 'Universability Test,' we have indirectly discovered a compulsory rule or categorical imperative: 'Don't be cruel'. That is why Kant's system calls for a reverence, a moral law with universal character. For him, a duty is an act of the will, a free and autonomous will which is not forced by external demands. For an act to be moral, it must be prompted by the autonomous will not by forces extraneous to it.

Categorical Imperative

Kant's deontology enlightens the concept of categorical imperative. It is a moral law that is unconditional or absolute for all agents, the validity or claim of which does not depend on any ulterior motive or end. "Thou shalt not lie," for example, is categorical as distinct from the hypothetical imperatives associated with desire, such as "Do not lie if you want to be popular." For Kant, the only thing that is unqualifiedly good in this world is a good-will, the will to follow the moral law regardless of profit or law to ourselves. For him, there is only one such categorical imperative, which he formulated in various ways. "Act only according to that maxim by which you can at the same time will that it should become a universal

law”. It implies that what is right for one person becomes right for all and what is wrong for one is wrong for all. If you cannot universalise your action in order to make it right for all, then it is wrong for you too. The categorical imperative implied a duty as ‘act as if the maxim of thy action were to become by thy will a universal law or Nature.

The Categorical Imperative is a purely formal or logical statement and expresses the condition of the rationality of conduct rather than that of its morality, which is expressed in another Kantian formula: “So act as to treat humanity, whether in your own person or in another, always as an end, and never as only a means.” Man, as a moral being is an end in himself. He possesses the absolute dignity. Man must be treated as an end in himself and never as means. Because of his dignity and of his ability to participate in a kingdom of ends as a moral legislator, he establishes moral laws. Kingdom of ends implies that a person is dutiful not for material gain but for reverence for himself as a person, as a moral agent. This again brings us to the two fold notion of duty of man which consists in the perfection of oneself and in the perfection of another.

3.3 THE GENERAL FEATURES OF HABERMAS’ DISCOURSE ETHICS

Jürgen Habermas is a German philosopher, sociologist in the tradition of critical theory and pragmatism. For him, philosophy should seek to reveal the significance that can be found in everyday experience and articulate elements of universal significance in a way that is sensitive and open to the validation potential of empirical science. Rather than seek a post-metaphysical resolution to the modern conflict of ethical life and morality on its own, philosophy should rather act as a ‘stand-in’ for the empirical sciences and search for theories with “strong universalistic claims”. In recent years, he has engaged in a vigorous debate with French post-structuralists, e.g. Foucault and Lyotard arguing that their radical rejection of any notion of foundations destroys the very possibility of social critique. He holds that polycentric societies comprised of different ethical perspectives inevitably prompt disputes over societal norms. These disputes typify issues that bring forward what Habermas characterizes as distinctly ‘moral’ issues that require participants to enter a ‘post-conventional’ level of moral consciousness.

His writings since the late 1980s, e.g. *Moral Consciousness and Communicative Action* 1990, and *Justification and Application*, 1993, have elaborated and modified the theory of Discourse Ethics. Habermas takes the concepts of justice and of right and wrong action to be fundamental moral categories, and states that were not for the fact that ‘discourse ethics’ has become entrenched, he would prefer to call it a ‘discourse theory of morality’.

There are three general features of Habermas’ discourse ethics. They are namely:

- a) It is not concerned with questions of prudence or the good life but only with so-called questions of morality. The questions of morality are differentiated from the questions of prudence because they are answered from the standpoint of universalizability. The function of a discourse ethics is to justify norms that will determine the legitimate opportunities for the satisfactions of needs. Discourse ethics does, however, involve a moral-transformative

process in which a participant's understanding of his needs is changed. It deals primarily with questions of institutional justice.

- b) It is a proceduralist ethics. It does not offer any substantive theory of goodness or principles of justice. Rather, it provides a procedure that ought to be followed in determining the validity of a norm. In other words, it tells us how the practical discourse which seeks to adjudicate between conflicting norms ought to be conducted. In this regard, it is important to understand that Habermas sees the principle of universalizability as a rule of argumentation that belongs to the logic of practical discourse which enables moral actors to generate rational consensus whenever the validity of a normative claim is in dispute.
- c) The discourse is actual not merely hypothetical. It is something that is carried out by real people.

In his early writings Habermas maintained that the validity of human discourse is governed by the particular kind of interests behind the validity claims. But later he began to place the validity of human discourse on the kind of action a discourse engenders. Here he distinguished between instrumental action or purposive rational action and communicative action. The former governs the empirical sciences. Its aim is to dominate the objects in the world including human persons. The later, on the other hand, is aimed at genuine communication in the social world leading to genuine social interaction promoting harmony and freedom in the society.

In Habermas' view, it was false communications or distortions in the communications that led to the subjugation of the majority of the people in the society by a few capitalists. His ambition, therefore, was to free the society from all kinds of distortions of communication and thus to create an ideal society where people could freely exchange their views without any danger of being dominated by anybody else. He calls it an ideal speech situation, which is characterised by the absence of any barrier which would obstruct a communicative exchange among the participants of a discourse. Here all participants in the discussion are considered dialogue partners of equal rights and opportunities without anybody trying to dominate or deceive any other. Such an ideal speech situation is created by ensuring the equality of all the partners in the dialogue. In the ideal speech situation conclusions will be arrived at by the force of the better argument alone. He admits that the ideal speech situation is not a realised one; it is only hoped a situation and only a possibility. But he argues that under certain favourable conditions such an ideal speech situation could be transformed into a reality. For Habermas, truth lies in the validity claims of a speech-act. Accordingly, a statement is true only if it gets the consent of all the others in the discussion. This is his consensus theory of truth, according to which truth of a discourse is determined by the consensus arrived at through the better argument among the dialogue partners. A true consensus formation is possible only in the context of an ideal speech situation with the help of the rules of argumentation.

Check Your Progress I

Note: Use the space provided for your answer

- 1) What are the ideal conditions for communication in Discourse Ethics.

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- 2) Explain Kantian Deontological Ethics.

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3.4 THE RULES OF ARGUMENTATION

Habermas claims in discourse ethics that “everyone who participates in the universal and necessary communicative presuppositions of argumentative speech, and who knows what it means to justify a norm of action, must assume the validity of a principle of universalizability.” He describes discourse in his “Legitimation Crisis” as that form of communication that is removed from contexts of experience and action and whose structure assures us: that the bracketed validity claims of assertions, recommendations, or warnings are the exclusive object of discussion, that participants, themes and contributions are not restricted except with reference to the goal of testing the validity claims in questions; that no force except of the better argument is exercised; and that, as a result, all motives except that of the cooperative search for truth are excluded.

The universal and necessary presuppositions of argumentation or discourse can be stated in terms of rules. These rules constitute discourse – that is to say, they determine just what it is for someone whose interests are possibly affected by the adoption of a certain norm to consent to it, without constraint and only through the force of the better argument. The first rule is simply that if one is a participant in communicative action, then one is under the obligation to provide a justification for the different sorts of claims one makes and to apply any norms one proposes equally to oneself as well as to others. This obligation is regarded as the minimal normative content inherent in communicative action.

The remaining rules result from reconstructing our intuition of what it would be like to resolve conflicting claims to normative rightness by the force of the better argument alone. This reconstruction is called the “ideal speech situation” and these rules provide the formal properties of a situation in which rationally motivated agreement could be reached. The rules are:

- 1) everyone who is capable of speech and action ought to be allowed to participate in discourse:
- 2) everyone ought to be allowed to question any proposal
- 3) everyone ought to be allowed to introduce any proposal into discourse
- 4) everyone ought to be allowed to express his attitudes, wishes, and needs
- 5) no one ought to be hindered by compulsion – whether arising from inside the discourse or outside of it from making use of the moral claims implied by (a) – (d).

3.5 MORAL CONSCIOUSNESS AND DISCOURSE ETHICS

The objectives of Habermas, even in their most idealized forms, aim to reach no ‘ultimate truths’ but rather an ‘ultimate procedure’ through which moral truths applicable to specific historical circumstances and specific participants can be ascertained and justified. In addition, the role of philosophy within this limited ambit is to reveal and build upon the presuppositions inherent to everyday life. As such, philosophically grounded theories should be open to empirical and scientific validation and reflect. Another defining element of Habermas’ moral philosophy is its focus on language and communication and their relationship to action. Participants in a discourse rely on different socio-cognitive tools depending on what type of proposed action is being discussed and what perspective structure exists between participants. Action in this sense is meant in the broadest sense of anything requiring the coordinated input of participants. As participants mature they become engaged in increasingly complex conflicts related to action both requiring and prompting an expansion in their socio-cognitive inventory. The evolution of socio-cognitive inventory to meet these demands can be described through theories of moral development. Habermas builds off Kohlberg’s seminal analysis that distinguishes six stages of moral judgment which are further grouped into three levels of analysis:

Level A. pre-conventional level:

Stage 1. the stage of punishment and obedience

Stage 2. the stage of individual instrumental purpose and exchange

Level B. conventional level:

Stage 3. the stage of mutual interpersonal expectations, relationships, and conformity

Stage 4. the stage of social system and conscience maintenance

Level C. post-conventional and principled level:

Stage 5. the stage of prior rights and social contract or utility

Stage 6. the stage of universal ethical principles

There are two crucial elements in Kohlberg’s analysis for Habermas. The first is that it requires *learning*. The child or adolescent needs to rebuild the cognitive structures she had in earlier phases in order to meet the challenges of the next in a consensual manner. In simple terms, each stage implies an appeal to ‘higher

ground' that requires a more advanced stage of moral reasoning. The second element is that the stages form a hierarchy within which "a higher stage dialectically sublate(s) (the cognitive structures) of the lower one, that is, the lower stage is replaced and at the same time preserved in a reorganized, more differentiated form."

Habermas then goes on to ground this *logic* in the evolution of speaker-hearer perspectives within the development of the child/adolescent. As children we define our interests in relation to the authority of others, but as we grow we begin to recognize other participants as possessing their own set of interests. As conflicts emerge we look to satisfy our own interests while strategically dealing with those of others. Eventually we begin to recognize our interactions with others as embedded within a larger social world in which certain social roles are accepted or rejected. We begin to internalize these roles and appeal to them when dealing with conflicting representations of norms. As we become increasingly aware of conflicts, we adapt our perspective to one that seeks to justify norms from principles that reach beyond our social world. Throughout this development, the language skills and forms of argument utilized increasingly rely on the implicit recognition of a 'third party' perspective among participants. Appeal to this 'third party' perspective becomes increasingly abstract as participants move from justifying action with relation to norms to justifying norms themselves. Each stage of development provides the cognitive tools with which participants can reach the next. What is 'just' at each point in this evolution, according to Habermas, "springs directly from the reorganization of the available socio-cognitive inventory, a reorganization that occurs with the *necessity of development logic*." As we move from normatively regulated action to discourse about norms we effect the moralization of our social worlds. This requires our form of social interaction to become increasingly abstract leading to the development of the "naturalistic core, so to speak, of moral consciousness."

Discourse ethics and Habermas' moral philosophy begin with certain intuitions experienced in everyday life related to the communicative use of language. Habermas then attempts to translate these 'presuppositions', through philosophy and the empirical sciences, into concrete motivations that can withstand contestation outside a specific form of ethical life. Habermas' views on moral consciousness and discourse ethics for clarity and for relation to the critique could be described in nutshell up in the following way:

- a) Discourse ethics has as its goal contingent solutions to moral conflict that are made valid by a 'universalist' procedure.
- b) This procedure is derived from the 'presuppositions' inherent to language aimed at communicative action – language that takes place always and everywhere through the fact of social relations.
- c) The appeal to impartial judgment that begins with the appeal to social norms implies a reciprocity in speaker-hearer perspectives that ultimately leads to the *principle of universalization* (U) as a basis for impartial judgment when dealing with contested norms.
- d) The critical advance (for discourse ethics) into 'post-conventional' thinking (the moralization or principled discussion of norms) relies on the logical development of the socio-cognitive inventory of a mature individual who has been socialized within a (at least partially) rationalized life world.

- e) In order for a valid resolution to be located, each participant cannot rely on the authority derivative of a particular ‘way-of-life’. Rather the participant must find reasons that can be supported by all. This necessarily requires a form of ‘ideal role-taking’ in order to reach consensus.

Check Your Progress II

Note: Use the space given for your answers.

- 1) What are the general features of Habermas’ Discourse Theory of Morality?
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- 2) How Does Habermas explain Ideal Speech Situation?
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- 3) Describe Habermas’ Views on Moral Consciousness and Discourse Ethics.
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3.6 KARL-OTTO APEL’S DISCOURSE ETHICS

Karl-Otto Apel is a German philosopher. The main direction of Apel’s philosophical effort has been towards a modernised version of Kant’s transcendental philosophy. He proposes to ground morality by starting from the fundamental fact of language, or more concretely, the language community, the community of communication and discourse. According to him, the forgetfulness of this linguistic fact has been the main shortcoming of all past philosophical moral theories, leading each one of them unwittingly to a sort of monological or introspective type of thought, oblivious of the implications of the communal language with which, and in which, they, however, all had to philosophize. As a result, they all ended up with a kind of particular morality limited by the confines of their monological thinking.

Taking due cognisance of this “linguistic turn” in the history of philosophy, Apel then starts from this linguistic fact, this community of language and discourse of which each human being is a member. Reflecting upon the transcendental conditions of possibility of this community of discourse, Apel finds the four universal validity claims that he borrows from J. Habermas:

- 1) meaning, that what is said makes sense,
- 2) truthfulness, that it is true
- 3) truth, that it is sincere (i.e. the speaker believes it to be true)
- 4) normative correctness, that it is communicated in a normatively correct way.

In other words, any person living in any community of language or discourse (and that would mean every human being) is inescapably governed by norms of meaning and truth and intersubjective validation. It is this fourth presupposition, the need to seek intersubjective validation or normative correctness that leads to the foundation of morality. It carries with it an implicit acknowledgment of the equality and autonomy of all interlocutors. More concretely, anyone who speaks or argues in principle seeks validation from the community, the community of persons. He cannot but take into consideration the views and positions of others in the community. And there is the foundation and ground of morality – respect of the community of persons — the transcendental condition of possibility of the community of language and discourse.

3.7 APEL’S CRITIQUE OF PREVIOUS MORAL THEORIES

On this important question regarding the ground or foundation of morality, Karl-Otto Apel feels that moral philosophy has failed, until now, to provide a satisfactory answer. The teleological theory, for example, as first proposed by Aristotle, fails to provide an adequate answer, because, according to Apel, *Telos* as conceived by Aristotle turns out to be the good or self-actualization of the individual or of a particular community, and not of the universal humanity. Hence, Aristotle eventually found it necessary to exclude from his work the slaves, and, also probably, the women and the non-Greeks. On the other hand, the deontological theory, as proposed by Kant, does not seem to make the grade either. According to Apel, Kant’s categorical imperative, which commands the individual to act only on that maxim through which he can at the same time will that it should become a universal law, turns out to be not universal enough after all. Too closely tied up with the conventions of his society and age, Kant ended up with a rather limited universality rule, as manifest in the examples he gave of the application of this rule. Contract and Convention theories of morality did not fare any better, since such attempts had difficulty showing why contracts and conventions should continue to be followed, especially in situations where the self-interest of the individual would seem to dictate that one should act otherwise.

In the contemporary situation, Apel points out that experimental science has succeeded in arrogating unto itself the whole notion of universality and objectivity. As a result, morality has come to be considered as purely idiosyncratic, a matter of personal opinion and feelings. Meanwhile, the world is becoming more and more of a global village, pressed to act more and more as one entity due to the

emergence of such concerns as nuclear armaments, economic globalization, and ecological anomalies of world-wide repercussions. More than ever, there seems to be a need of founding a morality that would go beyond the confines of one's group or culture so as to embrace all of humanity.

In general, Apel says that the fundamental defect of all the past moral theories is that they have all been *monological*. In other words, they have all been the result of the ruminations of the individual, solitary thinker reflecting upon morality. They have all neglected to take cognizance of what is nonetheless an inescapable fact, namely, that their solitary reflections could only have taken place within the context of language and discourse, thus within the linguistic community. All our thoughts and reflections, even those of the solitary philosopher, can only occur in and through a communal language. Hence, all our thoughts and reflections are virtually, if not actually, dialogue and argumentation. It is this fundamental forgetfulness of the linguistic conditions of their philosophizing that, for Apel, is the root of the failure of all past moral theoreticians to provide adequate grounding for a universal morality. For Apel, then, it is only on condition that we start from this awareness of the linguistic condition of all our thoughts and meaningful actions that we may finally see the universal conditions and ground of all human theoretical and practical activities, and, thus, of morality.

3.8 LET US SUM UP

Discourse Ethics, proposed by Apel, is a moral theory that starts from the inescapable linguistic matrix or medium of all our thoughts, reasonings, argumentations and purposeful actions. Beginning from this all-embracing community of language and discourse, the ground of all human thinking and acting, discourse ethics proceeds to show the transcendental conditions of possibility of such a linguistic community. Eventually, it will be shown that among the presuppositions or transcendental conditions of possibility of this discursive, interacting community of language is the moral condition, in other words, the community of persons whose views and interests any responsible speaker or agent within the community will have to consider, and whose consent he will, in principle, have to seek. Furthermore, to the extent that this community of language is universal and unlimited (since the realm of meaning and truth immanent in language go beyond particular languages), then the transcendental conditions of possibility we derive would likewise be universal and unlimited. It is only by this manner of proceeding, according to Apel, that we may finally come to ground morality universally.

Having shown how the very participation in the community of discourse leads to the recognition of the ideal universal community of humankind (to whom any speaker or arguer is, in principle, committed to justify his claim or position), in other words, having shown how the very act of discourse and argumentation by way of transcendental reflection leads to the fundamental ground of ethics, Apel then goes on to show how transcendental reflection leads beyond the grounding or founding of ethics to the formulation of moral norms as further transcendental implications of discourse and argumentation.

Proceeding from the four universal validity claims, which have been shown to be the necessary transcendental conditions of all discourse and argumentation, more specifically, from the fourth validity claim, that of normative correctness,

Apel draws and formulates what he calls a transformed version of Kant's categorical imperative: Act only according to a maxim, of which you can in a thought experiment suppose that the consequences and side effects its general observance can be anticipated to have for the satisfaction of the interests of each individually affected could be accepted without coercion by all the affected in a real discourse; if it could be executed by all those affected.

Apel considers this rule a transformation of Kant's *categorical imperative* in the sense that it goes beyond Kant's principle of universality to the formulation of a criterion of maxims of action and the consequences thereof. Having seen from the transcendental reflection that the transcendental presupposition of the community of dialogue and communication is the whole community of persons, whose real interests any speaker or agent is committed to respect, then the fundamental norm of morality should be not merely the notion of universality as found in Kant, but the concrete universality representing all the true legitimate needs and interests of the community of persons, individually and severally.

Nevertheless, Apel points out that discourse ethics remains purely formal and procedural. In other words, the moral norm as formulated by discourse ethics proposes no substantive or specific claims as to what one must do. Rather, it states formally that whatever one does, he must see to it that the foreseeable consequences and side effects of his action does not violate the justified interests of the individuals to be affected by the action. Thus, discourse ethics would refrain from specifying any concrete action or substantive goal. It does not assign to the philosopher or to the moral agent the task of determining by himself what he thinks would comply with the norm. Instead, discourse ethics would require procedurally a real dialogue with the individuals concerned to determine what in effect would be in respect of their justified interests. Here we see then that the norm of morality is not the mere private, monological notion of universality, as in Kant, but the real interests of the individuals of the community (which community in principle is the unlimited community of communication and dialogue). Furthermore, the present world we live in, according to Apel, has become so complicated and so closely interconnected and interdependent, making it impossible for the philosopher or the moral agent, in many situations, to determine by himself without the aid of expert knowledge, the probable consequences and effects of contemplated actions.

Beyond the problem of the formal moral norm and the procedure of developing situational norms within the boundaries set by the fundamental ethical norm, Apel brings up the question that, in our contemporary world, very often, it is not a mere matter of application of a universal or fundamental moral norm to a concrete situation. Rather, it is more often the question of finding the point of insertion of morality in a world where our interlocutors may not necessarily go by the moral norm, but instead by pragmatic or strategic principles. In other words, they may not necessarily subscribe to the principle of the ethics or the moral norm as the criterion of the maxims of their way of thinking and acting. This problem becomes especially acute should one be acting not simply on his own, but if he were, for example, in charge of a whole group. He could, for example, be the leader or the representative of a labour group negotiating with the management of a company or, perhaps, the representative of a whole nation dealing with other nations.

In such cases, Apel would first point out that we have to avoid, on the one hand, the position of naïve utopianism, and, on the other hand, the position of pure pragmatism or that of ‘amoral real politik’. Here, the task is to go beyond an ‘ethics of intention’ to an ‘ethics of responsibility’. What we have to consider is that, first, right now there is a real world of discourse or community of communication, which is our point of departure. It is not a perfect world out there, nor is it a purely chaotic or violent world either. The problem, then, is not that of a solitary moralist struggling against a whole evil world. In a sense, the whole of humanity, by way of collective responsibility, has achieved, at this point in our history, a certain level of decency and discourse. The present actual world is one where there is a certain level of discourse and ethical life prevailing, and sustained by all sorts of human achievements such as customs, system of laws, constitutional guarantees, and international treaties. Beyond, there is, of course, the ideal unlimited community of discourse or community, not as an existing substantive reality as it is in Plato, or as an inexorable necessary endpoint of history as it is in Hegel or in Marx, but as a necessary transcendental presupposition of the ongoing real community of discourse, as has been shown precisely by discourse ethics. The main point, then, is to recognize and to maintain this tension between the real ongoing discourse and the ideal community of discourse. To put it more concretely, what must be done first is we shall have to abide by the level of discourse existing at the moment, as provided for example by the legal system, the institutionalized negotiating or bargaining processes, and the recognized practices governing international relations. Second, there must be a constant effort to move closer and closer toward the level of the ideal community of communication. And, this is what distinguishes the moral negotiator or politician from a mere pragmatic operator.

The principle, therefore, is that on one hand, the present level of discourse governing human relations must be respected. Any action that would tend to regress toward a less discursive, more violent world would be wrong. On the other hand, there must be a constant progressive drive toward the ideal community of discourse and consensus. As Apel would put it, it seems to me that there resides in this demand the postulate of a necessary connection between the imperative to preserve the existence and dignity of the human being and the imperative of social emancipation commanding us to progress in the task of realizing the truth of humanity for all humans.

3.9 KEY WORDS

Discourse Ethics : It is a moral theory that starts from the inescapable linguistic matrix or medium of all our thoughts, reasonings, argumentations and purposeful actions

3.10 FURTHER READINGS AND REFERENCE

Blackburn, Simor. *Ethics: A Very Short Introduction*. New Delhi: Oxford University Press, 2006.

Finnis, John. *Fundamentals of Ethics*. Oxford: Clarendon Press, 1983.

Apel, Karl Otto, *Towards a Transformation of Philosophy*, trans. Glyn Adey and David

Frisby. London: Routledge & Kegan Paul, 1980.

Apel, Karl Otto. *Karl-Otto Apel: Selected Essays*. Vol. II. *Ethics and the Theory of Rationality*. edited and introduced by Eduardo Mendieta (New Jersey: Humanities Press, 1996).

Grayeff, Felix. *A Short Treatise an Ethics*. London: Duckworth, 1980.

Habermas, Jürgen. *The Theory of Communicative Action*, Vol. 1. trans. Thomas McCarthy. Boston: Beacon Press, 1984.

Habermas, Jürgen. *Legitimation Crisis*, trans. Thomas McCarthy. London: Heinemann, 1976.

Habermas, Jürgen. *Moral Consciousness and Communicative Action*. Cambridge, MIT Press, 1990.

Jones, W. T. *Approaches to Ethics*. New York: McGraw Hill Book Company, 1977.

Singer, Peter. Ed. *A Companion to Ethics*. Oxford: Blackwell Publishers, 1993,

Thompson, J. B. *Critical Hermeneutics. A Study in the Thoughts of Paul Ricoeur and Jürgen Habermas*. Cambridge: Cambridge University Press, 1981.

Foot, Philippa. *Theories of Ethics*. London: Oxford University Press, 1979.

Grayeff, Felix. *A Short Treatise an Ethics*. London: Duckworth, 1980.

Heller, Agnes. *General Ethics*. London: Basil and Blackwell, 1988.

Jones, W. T. *Approaches to Ethics*. New York: McGraw Hill Book Company, 1977.

Singer, Peter .Ed. *A Companion to Ethics*. Oxford: Blackwell Publishers, 1993.

Williams, Bernard. *Morality: An Introduction to Ethics*. Cambridge: Cambridge University Press, 1972.