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For much of the world, and for much of its history, the United States has been known as a champion of laissez-faire, a midwife to redemptive individualism, and a guardian of private property. So it is indeed one of the small ironies of the American experience that pragmatism, which champions social and collective life, will be remembered by future generations as America's philosophy. Some mischievous quirk of fate has ordained that America's envos to posterity should be advocates of a philosophy that often stridently promotes the importance of collective life, and which at times even echoes the sentiments of a seemingly foreign tradition, namely, left-wing Hegelianism. Why this should have come to pass is, of course, a historical question, and historians will tell us that along with the claims of the private sphere, America has almost always produced those who privileged collective and communal life, from the days of its earliest religious communities, the utopias of the nineteenth century, to the communes of the 1960s. America is a complex place. And pragmatism is a complex tradition, for not all pragmatists have concerned themselves with the communal and social, and no two have addressed the latter in exactly the same fashion.

There are indeed many different types of pragmatism, perhaps at least the thirteen that Arthur O. Lovejoy noted. Yet, in spite of the different paths taken by individual pragmatists, it is difficult not to see a concern with the social — along with fallibilism and an infatuation with novelty — as the lifeblood of a tradition that embraces Peirce's community of inquirers, Dewey's Idea of Democracy, Mead's social self, and recent social democratic voices, such as those of Cornel West, Nancy Fraser, Richard Bernstein, and even, in his own ironically informed liberal way, Richard Rorty. If linking pragmatism so deeply to the social offends, because obvious counterexamples can be found, one might ask if either of the following alternatives rings true: pragmatism is a philosophical tradition that is neutral with regard to social and collective life; pragmatism is positively hostile to collective experience. Jürgen Habermas is surely someone who would not find much merit in either suggestion.

Habermas has had a long-standing interest in pragmatism, dating from
the early 1960s and his exposure to Charles Sanders Peirce by Karl-Otto Apel, a friend since Habermas's university days. He tells us in an interview,

Encouraged by my friend Apel, I also studied Peirce, as well as Mead and Dewey. From the outset I viewed American pragmatism as the third productive reply to Hegel, after Marx and Kierkegaard, as the radical-democratic branch of Young Hegelianism, so to speak. Ever since, I have relied on this American version of the philosophy of praxis when the problem arises of compensating for the weaknesses of Marxism with respect to democratic theory.

And in a statement from the same interview, Habermas clarifies an intuition that he believes links him to Rorty and to pragmatism.

As far as Richard Rorty is concerned, I am no less critical of his contextualist position. But at least he does not climb aboard the "anti-humanist" bandwagon, whose trail leads back in Germany to figures as politically unambiguous as Heidegger and Gehlen. Rorty retains from the pragmatist inheritance, which in many, though not all, respects he unjustly claims for himself, an intuition which links us together—the conviction that a humane collective life depends on the vulnerable forms of innovation-bearing, reciprocal and unforcedly egalitarian everyday communication.

There are commentators who support Habermas's own identification with pragmatism. One of the most consistently sensitive to Habermas in this regard has been Richard Bernstein, who Habermas tells us was the first "real" pragmatist he had ever met. In commenting on Habermas's words regarding the intuition that he shares with Rorty, Bernstein provides the following admirable summary of some of the links between Habermas and pragmatism.

For Habermas is profoundly right in recognizing that the basic intuition or judgment that stands at the center of his own vision is also central to the pragmatic tradition. Both share an understanding of rationality as intrinsically dialogical and communicative. And both pursue the ethical and political consequences of this form of rationality and rationalization. It was Peirce who first developed the logical backbone of this thought in his idea of the fundamental character of a self-corrective critical community of inquirers without any absolute beginning points or finalities. It was Dewey who argued that the very idea of such a community, when pressed to its logical extreme, entails the moral ideal of a democratic community.... And it was Mead who saw that the linkage of dialogic communicative rationality and the institutionalization of democratic forms of life require a new understanding of the genesis and development of practical sociality. ... I vividly recall my own shock of recognition when I first started reading Habermas in the 1960s. For I realized that he, who was primarily intellectually shaped by the German tradition from Kant through Hegel to Marx and by his own creative appropriation from the Frankfurt School, was moving closer and closer to the central themes of the American pragmatic tradition.

In spite of the affinities that Habermas's thought may have to pragmatism, there are those who remain skeptical about affiliating Habermas too closely with this tradition. Questioning Habermas's credentials as a pragmatist, for example, is Hans Joas—the author of a major work on Mead—who notes,

What prompted my taking issue with Jürgen Habermas's Theory of Communicative Action was my surprise at how little this author had adapted from pragmatism for his theory as a whole. After all, Habermas had repeatedly documented his orientation toward the pragmatists Peirce and Mead and had, in the above work as well, justified the fundamental paradigm shift “from purposive action to communicative action” by citing Mead and (albeit problematically) Durkheim. For me it was a matter of describing the relative poverty of Habermas's theory of action.

And a number of the contributors to this volume also question Habermas's credentials as a pragmatist. Joseph Margolis and Tom Rockmore are concerned that in spite of the distance that Habermas places between his work and traditional forms of Kantian transcendentalism, there is still just too much of the transcendental in his thought to make a pragmatist rest easy; Richard Shusterman and Lenore Langsdorf argue that Habermas's notion of communication remains too restrictive to do full justice to aesthetic experience, especially of a Deweyan sort; and Sandra Rosenthal claims that from the vantage point of pragmatism, Habermas's model cannot provide a sufficiently rich account of the self. Apel, on the other hand, believes that in recent years Habermas has moved too far from the transcendental ground necessary to support discourse ethics, which Apel and Habermas developed in light of Apel's interpretation of Peirce. Although in his article for Habermas and Pragmatism Apel speaks to Habermas's philosophy of law, he spends a good deal of time explaining just how his views differ from those of Habermas.

Pragmatists often take a turn to the contextual and have been known to be moved by communitarian impulses, even if they are moved by them to
personal and intellectual development, in a way that perhaps the American Civil War was for the early pragmatists, as we will see below.

For all of Habermas's commitment to "the people," he has seen what can happen when anti-constitutional (fascist) forces and "local" concerns hold sway. Communitarianism and contextualism are impossibly dangerous in this regard. Morality and critique must have some lasting ground, some principle or principles that make riding roughshod over the interests and rights of others morally reprehensible, and not just here, but everywhere, throughout the whole community of nations. It is worthwhile noting in this context that there had been a fascist appropriation in Germany of pragmatism in the work of figures such as Arnold Gehlen and Eduard Baumgarten. (Habermas refers to Gehlen in the above quotation linking his own thought to Rorty's.) That pragmatism as a philosophy of action could be distorted in this fashion, specifically by evading its intersubjective and democratic dimensions, would be a deeply troubling proposition to Habermas.\(^{15}\)

In Habermas's view acknowledgment of the fact that no such distortion took place in America, that American pragmatists typically viewed pragmatism as an inherently democratic philosophy, is no substitute for a sustained justification of the cross-cultural superiority of constitutional democracy. For this sort of justification democracy must be related conceptually to the rule of law, in an account that appeals to the principles of communicative action. Consider how Habermas links law, the legitimacy of democracy, the presuppositions of communication, and proceduralism in the following passage from Between Facts and Norms.

The argument developed in Between Facts and Norms essentially aims to demonstrate that there is a conceptual or internal relation, and not simply a historically contingent association, between the rule of law and democracy ... [T]he democratic process bears the entire burden of legitimation. It must simultaneously secure the private and public autonomy of legal subjects. This is because individual private rights cannot even be adequately formulated, let alone politically implemented, if those affected have not first engaged in public discussions to clarify which features are relevant in treating typical cases as alike or different, and then mobilized communicative power for the consideration of their newly interpreted needs. The proceduralist understanding of law thus privileges the communicative presuppositions and procedural conditions of democratic opinion- and will-formation as the sole source of legitimation.\(^{14}\)

It is precisely this sort of proceduralist vision of the law that is in turn challenged by pragmatists or pragmatically inspired thinkers. In his article for this anthology, Frank Michelman, a friend and a friendly critic of Habermas, questions whether the constitutional contractarian approach embodied in Habermas's work on the law can adequately deal with the relationship of norms to their application. Michelman tells us that

Habermas expressly, repeatedly, and roundly rejects any semblance of a sittlich foundation for what is after all supposed to be the universal and rational acceptability of the law. Reason, as Habermas says, "must already be at work" in the construction of semi-perfect legal norms such as Günther's "paradigms" or "doctrine."\(^{15}\)

And it is just such a sittlich "foundation," a "foundation" of substantive moral and ethical practices, that pragmatists typically do not wish to yield. One of Habermas's problems with American Legal Realism, a tradition that can be viewed as aligned with pragmatism, is that it leads to a conflation of politics and law, and a privileging of bureaucratic social planning over democratic processes. In very broad terms one might say that this tradition is too contextualist, too sittlich. David Ingram's comprehensive article on Legal Realism argues that Habermas underestimates the complexity of this tradition. Progressive Realists did not conflate politics, economics, and law to the degree that Habermas believes that they did. But there is a larger question that is raised by Ingram's chapter, one which ties it to Michelman's. Can Habermas adequately defend his universalistic approach to the law?

There is little doubt that Oliver Wendell Holmes Jr. would not think so. Given the latter's pragmatically informed approach to the law, the rationalism, proceduralism, and universalistic impulses of Habermas's orientation to the law would not be welcome. In his recent book, The Metaphysical Club, Louis Menand tells us,

When Holmes said that common law judges decided the result first and figured out a plausible account of how they got there afterward, the implication was not that the result was chosen randomly, but that it was directed by something other than the formal legal rationale later adduced to support it. Holmes announced what this "something" was in the famous fourth sentence of the opening lecture of The Common Law: "The life of the law has not been logic; it has been experience."\(^{16}\)

The passage Menand cites from Holmes is important and worth quoting at greater length.

The life of the law has not been logic: it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow-men, have had a good
deal more to do than the syllogism in determining the rules by which men should be governed.17

What did Holmes mean by *experience*, perhaps the most ubiquitous and sanctified term in the pragmatists’ lexicon? Menand goes on to say:

It’s a word with a number of associations, but Holmes was using it in a particular sense. He meant it as the name for everything that arises out of the interaction of the human organism with its environment: beliefs, sentiments, customs, values, policies, prejudices —what he called “the felt necessities of the time.” Another word for it is “culture.”18

And with “the felt necessities of our time” we are back on precisely the terrain that Habermas wishes to circumscribe in matters of law and justice. This phrase reflects a stress on culture and experience that ultimately cannot be reconciled with a proceduralist and universalistic vision of the law. Pragmatists and the pragmatically inclined seem to find it impossible to rein in their appeals to experience.

Given this recurrent and pervasive concern with experience, pragmatists would be inclined to highlight how different Habermas’s world was from the world in which pragmatism arose, and they would want to do so because it might shed light on the interests and problems at play in the various theories.19 (Not only are pragmatists absorbed with experience, they cannot seem to let interests go unexamined.) Although I have no intention of providing a short history of pragmatism here – far too complicated a story with too many different chapters — I do want to offer in its place the overarching hypothesis of Menand’s book to suggest something of the different worlds inhabited by Habermas and the early pragmatists.

Pragmatism arose in New England in the years following the American Civil War. To be more accurate, in Cambridge, Massachusetts, a town that was home to Peirce, James, the polymath Chauncey Wright, and a number of other thinkers who participated in a club, The Metaphysical Club, in 1872. (A generation or so later John Dewey and George Herbert Mead were born in New England.) Menand offers the hypothesis that the Civil War, with its inexorable violence and raging ideologies, was the problem that pragmatism set about solving.20 In this reading, Oliver Wendell Holmes Jr. left for the war as something of a political radical and returned committed to shunning every sort of ideological or principled certitude, as well as the mentality of those who hold them, because it is just this sort of “dogmatic” mentality that gives birth to rivers of blood. (And Holmes was not the only club member to be affected by the war. William James, for example, was moved by the experiences of his brothers in the war, and he felt continually torn about not serving in it.) Pragmatism, of course, is a philosophy that has an aversion to all forms of absolute certainty; fallibilism is its totem.

Whether one can in fact locate the motivation for fallibilism in the blood of the Civil War is far from a proven claim, for certainly one can turn to other historical conditions – for example, the diversity of cultures in America – as well as to internal developments in the sciences to help account for this feature of pragmatism. And, of course, Menand’s more global hypothesis about the Civil War and pragmatism cannot be the whole answer, because we would want to know why this response to sectional hatred and ideology and not another. (A reservation of this sort would equally hold true when examining Habermas’s work in light of fascism and the Holocaust, for here too we can ask: why his response and not another?) Menand, however, is not saying that pragmatism can simply be accounted for in this manner. It clearly is a philosophy that moves with many of the currents of modernity. It is a child of its times. Nevertheless, the Civil War must be considered a crucial factor in the rise of pragmatism because it helped cultivate the conviction that viewing ideas as absolutes is an exceedingly dangerous proposition. Better to treat them as tools and not eternal verities. But Habermas considers himself to be a fallibilist, so what have we gained by invoking the influence of the Civil War?

Pragmatists are problem solvers, and one might even say that what pragmatists fear is not being able to solve a problem. A problem for a pragmatist is a conflict, a tension of some sort, a doubt that has arisen and must be addressed. And in a sense the big problem that must be overcome is conflict itself, although not permanently but in bits and pieces, for if America has taught us anything, it is that new conflicts will arise, if only due to novel events. Pragmatists are instrumental Darwinsians, who are not to be confused with social Darwinsians. American pragmatists are also typically inveterate supporters of tolerance, for in allowing differences to be noted and seriously addressed — for example, accepting errors in the context of scientific discovery — tolerance allows us to devise richer solutions to problems. Tolerance is the condition for the possibility of genuine harmony: that is, a genuinely satisfying (dare we say, authentic) relief of doubt and conflict, as opposed to the anodyne of half-hearted convictions. But typically for leading American pragmatists, with the possible exception of Peirce, we are dealing with a dialectic without end. We will never be rid of doubt and conflict, problems will always arise, differences will always be present, which is indeed a good thing, for without differences there is no progress. (Pragmatists did believe in progress, after all.) And this can lead to a further lesson regarding tolerance: we must be tolerant of tolerance for the sake of making the world a better place, and this applies to our social and political lives and not just the laboratory.21

But isn’t tolerance also a basic category of Habermas’s philosophy? When George Herbert Mead — who, with the exception of Peirce, is the pragmatist to whom Habermas is most indebted22 — speaks about taking the
perspective of others, is he not laying the groundwork for tolerance, at least in the social world? No doubt Habermas wishes to promote tolerance, and Mead's notion of taking the perspective of others reflects in part a pragmatist penchant for accommodating difference. However, in Habermas's hands Mead's notion is transformed into a resource for an idealized communication community, in which everyone takes the perspective of everyone else.

The idealizing supposition of a universalistic form of life, in which everyone can take up the perspective of everyone else and can count on reciprocal recognition by everybody, makes it possible for individuals to exist within a community — individualism as the flip side of universalism. Taking up a relationship to a projected form of society is what first makes it possible for me to take my own life history seriously as a principle of individuation — to regard it as if it were the product of decisions for which I am responsible. The self-critical appropriation and reflexive continuation of my life history would have to remain a non-binding or even an indeterminate idea as long as I could not encounter myself before the eyes of all, i.e., before the forum of an unlimited communication community.23

Although this is not the place to provide a detailed examination of the accuracy of Habermas's interpretation of Mead, I would like to make the following suggestion. For Mead, the taking of the perspective of the other is grounded in the sympathy tradition of British Empiricism and given a Romantic twist via the notion of the intersubjective in Hegel.24 Mead's notion of taking the perspective of others is no doubt a sociological description of how roles develop, but it is also linked to a kind of universalism, one that says: we are better off when we share as many perspectives as possible, for such sharing is not only made possible by sympatheic relations, it also nurtures sympathy — that is, the kind of sympathy we associate with tolerance for others and their unaccustomed ways. For the pragmatist Mead, as for Dewey and assorted kin, tolerance results from the right habits. It is an attitude as well as a conceptual achievement, and it is due to experience and gives birth to a rational subject.25

Although Habermas is clearly aware of the importance of habits and practices, there must in addition be a moment of idealization and universality that links his project back to Kant. However, it is just this tendency to appeal to universal conditions as governing factors for certain types of experience that would "scape" the pragmatically inclined such as Holmes and Dewey. In general, idealizations that advance in the direction of the a priori would remain suspect, even if they are presented in Habermas's fallibilistic and empirically minded manner. There would, for example, be a suspicion that Habermas wants us to achieve consensus — e.g., via validity claims as

presuppositions of communicative action — before we actually wrestle with difference and novelty. For the pragmatist this is tantamount to trying to sidestep conflict and difference via principles, and this is a path that leads to intolerance and violence. Now, of course, Habermas would want to argue that his "principles," given their procedural character, would never place us on such a path. They are not a priori in a traditional sense. They only set the stage for a conversation that allows differences to be heard and treated respectfully. And a conversation of this sort is surely one that any good pragmatist would also endorse.

Habermas and Pragmatism is intended to nurture a dialogue between those committed to a Habermasian version of critical theory and those wishing to challenge or clarify some aspect of Habermas's thought via classical or recent figures and themes of the pragmatic tradition. In organizing the volume the editors did not expect that all of the classical figures in pragmatism would be adequately covered, nor that all of the potentially absorbing topics of research and conversation could be addressed in one anthology. The editors were fortunate that contributors of such distinction were willing to involve themselves in the project, furthering one of the main goals for the volume: namely, stimulating an exchange between two vibrant traditions. Thus far in the Introduction a number of the contributors have been mentioned. In addition to the themes of transcendentalism, aesthetics, law, ethics, and politics that they address, Myra Bookman provides an account of the rarely examined relationship among Piaget, pragmatism, and Habermas; and Cristina Lafont addresses the important dialogue between Habermas and Brandom on objectivity. This is dialogue that is all the more interesting because Habermas views Brandom as a figure in the Peircean tributary of pragmatism that he favors.26 Which brings us to Habermas's contribution.

Habermas has made a number of comments over the years on his relationship to pragmatism. There are sustained treatments of Peirce and Mead in his work, but little general discussion of pragmatism. In the "Postscript" to this volume, after briefly commenting on the contributions to this anthology, Habermas has kindly answered several questions posed to him regarding his relationship to the pragmatic tradition. This is followed by a short piece that has been translated for this volume on Dewey's Quest for Certainty.

One last note on organization. The anthology is divided into four sections: "Transcendentalism and reason"; "Law and democracy"; "Language and aesthetic experience"; and "Comparative studies." In certain cases the assignment of chapters to specific sections could have followed a different course. This may seem especially apparent in the case of Apel's chapter, "Regarding the relationship of morality, law and democracy: on Habermas's Philosophy of Law (1992) from a transcendental-pragmatic point of view," which has been placed in the section on transcendentalism and reason, and
not the one on law. However, a good deal of this piece addresses basic questions about Apel's and Habermas's relationship to transcendentalism, and the article connects rather well with the other three papers in the section. But it would clearly also be of interest to those who wish to focus on the philosophy of law.  

Notes

See Tom Rockmore, Chapter 3 in this volume, pp. 47, 60, n. 1.


6 See Habermas, "Postscript" in this volume, p. 226.


9 See Habermas, "Postscript," p. 228.


12 See Myra Bookman, Chapter 4 in this volume, p. 68.


14 See Frank Michelman, Chapter 6 in this volume, p. 133.

15 See Frank Michelman, Chapter 6 in this volume, p. 133.

16 See Frank Michelman, Chapter 6 in this volume, p. 133.

17 See Frank Michelman, Chapter 6 in this volume, p. 133.

18 See Frank Michelman, Chapter 6 in this volume, p. 133.