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Justice without Solidarity? Collective Identity and the Fate of the "Ethical" in Habermas' Recent Political Theory.

Throughout his career, Habermas has insisted that solidarity is the "reverse side" of justice, insofar as abstract, individualistic principles of justice arise out of concrete, intersubjectively shared forms of life, a process that is described and defended in his conception of discourse ethics.¹ Thus a defensible conception of justice cannot focus solely on individual rights and duties. It must simultaneously seek to protect the shared forms of life that give rise to those rights and duties, as well as the individuals to which they apply. In this way, Habermas has understood justice and solidarity, morality and "ethical life" (Hegel's *Sittlichkeit*), as necessarily complementary.

Yet in his current work, Habermas has come to reject this claim. In a recent address to the World Congress of Philosophy, Habermas claimed that he "no longer uphold[s] the assertion that 'justice conceived deontologically requires solidarity as its reverse side' because it leads to a moralization and depoliticization of the concept of solidarity."² Initially, this may seem to be a curious claim, since much of that address is dedicated to *defending* the idea of solidarity in the context of current challenges to crossnational European unity. But the kind of solidarity that Habermas has in mind there is a purely *political* solidarity, less demanding, he presumes, than the deeper sort of solidarity that he once saw as a necessary complement to any defensible conception of justice.

This development in Habermas' thought is foreshadowed in earlier work, where he distinguishes between a stronger "ethical-cultural" identity, and a weaker "ethical-political" identity, and argues that only the latter, rooted in what he calls a "constitutional patriotism," is necessary to provide the justificatory foundation of a democratic system of law.³ One could thus read his more recent work on cosmopolitanism and the "constitutionalization" of international law as an attempt to expand and build upon this weaker kind of collective identity, such that its justificatory scope would extend beyond the nation state, to international bodies like the European Union. But this expansion arguably stretches the idea of a purely political solidarity to its breaking point. If the citizens of multicultural *states* have little more in common than the constitutional structure of their shared political landscape, how fragile must be the grounds for broadly shared identification across newly formed juridical bodies that encompass both cultures and nations? It is one thing to point to a long-established and well-respected constitutional tradition as the ground of solidarity among otherwise diverse members of an existing state. It is another to rely on this kind of solidarity in cases of nascent or not-yet-existing constitutional structures.

Habermas is aware of this difficulty, yet he seems to have become skeptical of the power of secular morality to produce the kind of deeper solidarity that global justice demands, a pessimism that has led him, in recent years, to a reevaluation of religious traditions as a means of "bridging the gap" between diverse cultural and identity groups, and filling the supposed void in secular traditions.⁴ In what follows, I will argue that this pessimism is unwarranted and that the turn to religion is unnecessary. The forms of solidarity Habermas finds lacking in the contemporary secular world are observable in various political movements, from feminism to black liberation. Contrary to common criticisms that see in these identity-based movements a *challenge* to broader social solidarity, I will argue that they actually represent models of solidarity at least as readily generalizable or "translatable" as those found in religious traditions. A careful analysis of these movements further demonstrates that the idea of a purely political solidarity – and the corresponding distinction between political and pre-political communities – is untenable, and thus that Habermas' recent rejection of the "reverse side" argument is unwarranted. Ultimately, I suggest that the stronger notion of solidarity that Habermas seeks in religious traditions, and that I argue can be found in sociopolitical movements, points to a kind of *humanism* that represents a common ground of both.

1. Solidarity as the "Reverse Side" of Justice

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To begin, it is important to have a working understanding of the idea that Habermas now claims to reject – the idea that solidarity is the "reverse side" of justice. In the WCP address in which he rejects that view, as quoted above, Habermas refers to a 1984 article in a volume discussing Lawrence Kohlberg's model of moral development.⁵ In particular, he is discussing Carol Gilligan's well-known critique of Kohlberg, in which she suggests that his model neglects gynocentric relations of care, and Kohlberg's response, in which he argues that care/benevolence is implicit in his stages of moral development. This is where Habermas makes the claim that he refers to in the address:

From the perspective of communication theory there emerges ... a close connection between concern for the welfare of one's fellow man and interest in the general welfare: the identity of the group is reproduced through intact relationships of mutual recognition. Thus the perspective complementing that of equal treatment of individuals is not benevolence, but solidarity. This principle is rooted in the realization that each person must take responsibility for the other because as consociates all must have an interest in the integrity of their shared life context in the same way. Justice conceived deontologically requires solidarity as its reverse side.⁶

He continues:

It is a question not so much of two moments that supplement each other as of two aspects of the same thing. Every autonomous morality has to serve two purposes at once: it brings to bear the inviolability of socialized individuals by requiring equal treatment and thereby equal respect for the dignity of each one; and it protects intersubjective relationships of mutual recognition requiring solidarity of individual members of a community, in which they have been socialized. Justice concerns the equal freedoms of unique and self-determining individuals, while solidarity concerns the welfare of consociates who are intimately linked in an intersubjectively shared form of life - and thus also to the maintenance of the integrity of this form of life itself. Moral norms cannot protect one without the other.⁷

It is significant that this passage occurs within a discussion of Kohlberg's work. Setting aside the controversies over the precise boundaries of his stages, their gender neutrality, and their culmination in "stage 6" development, what Kohlberg empirically confirmed was that the development of the "moral point of view" is preceded by and depends upon concrete interactions with specific others, beginning in the family and radiating outward with increasing generality. In the Hegelian terms that Habermas borrows, "morality" – the set of norms that are *universally* valid for all humans regardless of circumstance – presupposes and grows out of "ethics" – the *particular* responsibilities that obtain between members of a pre-existing collectivity (a family, a culture, etc.), responsibilities that are based upon reciprocal relations of concern – that is, solidarity.

Of course, this vision of humans as social, community-bound beings has deep philosophical roots, going back at least to Hegel if not Aristotle, and it found new popularity in the communitarian and multicultural discourses of the late twentieth century. But what is perhaps the distinctive contribution of Habermas' discourse ethic is to reconcile this communitarian premise with a deontological theory of justice and universal human rights, precisely the target of many communitarian and Hegelian thinkers. Indeed, the discourse ethic is essentially an attempt to reconstruct the Kantian Categorical Imperative in a way that acknowledges the intersubjective, linguistic bases of normativity, and thus address the most important aspects of Hegel's critique of Kant. Roughly, this meant replacing Kant's "monological" procedure of testing one's individual maxims with a discursive procedure which finds norms valid only insofar as they "could meet with the consent of all affected in their role as participants in a practical discourse."⁸ In this way, the task of abstract moral justification becomes grounded in the concrete lifeworlds ("intersubjectively shared forms of life") of communities of language users. Moral norms no longer appear as the manifestation of an ahistorical pure practical reason (nor of a historical "absolute spirit"), but as the product of real communities of discourse. Habermas emphasizes this point in a way

that reminds the reader of the distinctiveness of a critical theory of society – its grounding in not just philosophical, but historical and social-scientific understanding as well:

To be sure, the gradual embodiment of moral principles in concrete forms of life is not something that can safely be left to Hegel's absolute spirit. Rather, it is chiefly a function of collective efforts and sacrifices made by sociopolitical movements. Philosophy would do well to avoid haughtily dismissing these movements and the larger historical dimension from which they spring."⁹

This is an important insight, one which I think is directly relevant to Habermas' ongoing concerns about solidarity. But before expanding upon this point, let us strive for a fuller view of the justice/solidarity relation. This relation can be thought of as twofold. Morality/justice overlaps with ethics/solidarity on the front end, so to speak, insofar as it is the social integration of persons into shared forms of life that make them capable of moral reflection in the first place. This is the complementarity that is illustrated by Kohlberg's insights into moral development. But the two also overlap on the back end, insofar as the moral norms justified in discourse remain impotent unless they are integrated into the concrete contexts of particular lifeworlds. Habermas refers to the latter stage as a process of *application*, and insists that this is distinct from the task of *justification*, which transcends the particular circumstances of the participants in discourse. This is also perhaps the key to understanding why he characterizes discourse ethics as illuminating a "hidden link between justice and the common good."¹¹

It would be easy to overemphasize this link, collapsing the distinction between morality and ethics, and thus reading Habermas in a communitarian or neo-Aristotelean way (especially given his characterization of justice and solidarity as "two aspects of the same thing.") Such a reading might also explain Habermas' concern about the "moralization" of his previous understanding of solidarity. But this reading is overly simplistic. In reality, Habermas has always emphasized that the distinction between morality and ethical life must not be collapsed, in spite of their various links, areas of overlap, and mutual dependencies. Further complicating matters, Habermas has always appreciated that the application of discursively justified moral norms requires political action within a democratic institutional framework. Indeed, in the very same essay Habermas points to as representative of his abandoned view, he writes that "justice conceived in postconventional terms can converge with solidarity as its reverse side only when solidarity has been transformed in the light of the idea of a general discursive will formation."¹² In other words, only after its link to a particular form of life or "ethical" worldview has been weakened, if not severed. (As the reader will see, this "politicized" conception of solidarity is central to the development of Habermas' theory of democracy and law in *Between Facts and Norms*, in which it forms the basis of a synthesis of liberal and republican views of sovereignty.)

So what is the real basis for Habermas' rejection of this view? Let us turn here to the WCP address itself, along with a few other sources to which he himself directs us. This address, like much of Habermas' recent work, continues to struggle with the empirical reality of European unification, a project in which he sees significant promise, despite the serious "democratic deficits" from which it currently suffers. In this context, the issue of solidarity manifests concretely in demands that some EU nations sacrifice in order to provide (mostly financial) assistance to others. A German scholar addressing the question of solidarity in Athens only brings this context into greater relief.

Most explicitly, Habermas is addressing a set of criticisms which identifies in pleas for this kind of European solidarity a kind of soft-hearted idealism – a "moral stuffiness" rife with "misplaced good intentions."¹³ On the surface, this seems to be the motivation for distinguishing solidarity from both moral *and* legal norms. The goal of moral and legal norms, he says, is to secure justice, which consists in "equal freedoms" and "equal respect" for all. As in earlier work, Habermas distinguishes these justice-based norms from "ethical" norms, which presuppose a "predictable reciprocity" based upon an "antecedently

existing community." In other words, they are not universally binding, but depend upon more or less voluntary relationships of trust and reciprocity. (To use the language of contemporary moral theory, these are *supererogatory* norms.) Unlike in earlier work however, Habermas goes on to distinguish solidarity from *ethics* as well. While solidarity, like ethical life, depends upon relations of reciprocity, it "cannot rely on pre-political communities such as the family but only on political associations or shared political interests." This is more than a mere distinction between different forms of solidarity. Habermas goes on to say that "solidarity is *always* political solidarity." And yet, suggestive of his earlier conception, he also claims that this kind of solidarity continues to involve "an interest in the integrity of a shared form of life."

What are we to make of these two claims? The form of life Habermas has in mind is the peculiar form of a democratic citizenry. He distinguishes this "artificial," "legally organized" form of life from "quasi-natural" lifeworlds that have "evolved organically." He further characterizes political solidarity as "forward-looking," and even "offensive," constituting, in an Arendtian moment, a community through intentional political action. Presumably this makes "pre-political" forms of life backward-looking, in that they draw upon pre-existing traditions and shared values. Yet taking seriously the claim that *all* solidarity is political raises interesting questions about these latter forms of life. For surely not every form of social reciprocity results in or depends upon a legal apparatus for its maintenance. Is solidarity simply the wrong concept then for understanding the relations among, for example, members of a cultural minority, an ethnic enclave, or an oppressed social group? Or are these groups in fact "political" as well, their internal relations constituting a key part of the larger democratic community? And what of solidarity across dissimilar political landscapes, for example, with persons living under repressive, non-democratic regimes? This would seem to be an especially pressing question for a form of solidarity that strives to be international in scope.

I argue that the distinction between "political" and "pre-political/ethical" lifeworlds is untenable. Political communities inevitably contain substantive "ethical" aspects, and these aspects form the basis

of a shared collective identity (though such an identity can be stronger or weaker). On the other hand, "ethical life" inevitably becomes politicized in a variety of ways, not only in the struggles for recognition and inclusion typical of existing, unjust societies, but even in ideally functioning democratic contexts. Ironically then, it is Habermas who is depoliticizing these forms of life, falling prey to idealized notions of social groups, and thereby failing to fully heed his own warning regarding the empirical understanding of sociopolitical movements. In reality, the forms of life that populate the contemporary world, from small, culturally homogenous minorities to large, diffuse ethnic and racial groups bound together more by historical accident than a consciously shared worldview, cannot be neatly divided into "political" and "prepolitical" communities. And as feminists like Susan Okin have demonstrated, even the family, often considered the paradigm of "pre-political" reciprocity, must be understood as thoroughly political.¹⁴ The indefensibility of this distinction then, motivates a qualified defense of Habermas' idea that solidarity is the reverse side of justice, against his own recent rejection of this idea.

Before turning to this argument however, I would like to identify another crucial dimension of Habermas' rejection of the "reverse side" argument, one which lies beneath the concerns about the viability of the European Union that motivated his WCP address. This other dimension is evidenced by the fact that the same footnote that announces that rejection points to a volume on religion, which has become another recurring theme in Habermas' recent work. As it turns out, Habermas' doubts about the "reverse side" argument are closely linked to another change of heart, regarding the potential of secular reason to effectively address the various crises present in contemporary life. In *An Awareness of What is Missing*, Habermas raises doubts about this potential, asserting in uncharacteristically poetic language that practical reason alone "no longer has sufficient strength to awaken, and to keep awake, in the minds of secular subjects, an awareness of the violations of solidarity throughout the world, an awareness of what is missing, of what cries out to heaven."¹⁵ This newfound skepticism about secular reason is directly related to the rejection of the link between morality and ethics. "Secular morality," he claims, "is not

inherently embedded in communal practices."¹⁶ Religion, on the other hand, "preserves an essential connection to the ongoing practice of life within a community and, in the case of the major world religions, to the observances of united global communities of all the faithful."¹⁷ To be clear, Habermas insists that he is not referring to the more familiar problem of moral motivation, as it arises, for example, in objections to Kantian moral philosophy. What Habermas is rather concerned with is what he calls a "political deficiency" – an inability to translate individual moral agency into collective action for political change.¹⁸ Religion, he thinks, has the potential to bridge this gap "through the shared faith in the promise of a 'redemptive' or 'liberating' justice."¹⁹ Thus the link between justice and solidarity survives, but only, apparently, in religiously oriented communities. Of course, the redemptive promise of religion extends only as far as the community of believers who accept it on faith, and Habermas is not advocating an evangelical attempt to literally universalize any of these communities. But he does believe that we must find a way to "translate" the "semantic potential" of religious faith into secular terms.

Notice that this view depends upon the mutual exclusion of morality and "communal practices," precisely the link that Habermas previously affirmed. If this distinction holds, then there is nothing special about religious as opposed to other "ethical" forms of life. I will argue that this is in fact the case, as evidenced by the fact that social movements grounded in particular lifeworlds and "communal practices" have effected and continue to effect political change. However, I do think that Habermas' desire to translate the redeeming potential of religion into secular discourses tells us something interesting about the ultimate goal of his political philosophy, and about the foundations of philosophies of liberation more generally. I will return to this point in the last section.

The argument that I will now pursue, defending Habermas against Habermas, as it were, represents an alternative to this "religious turn," one which takes seriously Habermas' admonition not to neglect the study and history of empirical sociopolitical movements. To that end, I will illustrate the problems with distinguishing between "political" and "pre-political" communities using two examples of

these movements. One, the "feminist politics of equality," is drawn in part from Habermas' own work. The other, the politics of black racial solidarity, sheds light upon an important aspect of contemporary political life about which Habermas and other contemporary critical theorists have been mostly silent. Both illustrate the ways in which groups engaged in so-called "identity politics" can translate the "semantic potential" generated in their own internal discourses into collective action in the interests of justice. In this way, I will attempt to redeem the thesis that justice is the "reverse side" of solidarity. Understanding this process however, requires a brief excursus into Habermas' legal and political theory, which set the stage for a politicized conception of solidarity.

2. Ethics, Politics, and Social Movements

Thus far I have discussed Habermas' conception of solidarity primarily in relation to his discourse ethic, which is fundamentally a theory of morality. But as I have already intimated, this theory from the very beginning held significant potential for understanding the normativity of democratic political practice, and for the justification of legal, as well as moral norms, a project undertaken primarily in *Between Facts and Norms*. Here too, the connection between justice and solidarity is revealed, albeit in somewhat different terms. Habermas is concerned in this period with the ways that discursively produced norms can be taken up and institutionalized in democratic structures and practices. The "proceduralist" paradigm of law he develops to capture this process is a synthesis of classical liberal and republican views. It draws from liberalism the task of delineating a set of individual rights that are understood as constraints on any possible system of law. Yet it resembles republicanism insofar as these same rights are understood as the product of a discursive practice - persons acting in concert, bound together by a shared identity as citizens. It is this latter feature of his theory that specifies the earlier idea of solidarity "transformed in the light of the idea of a general discursive will formation." In the absence of the metaphysical presuppositions of natural law, the "private autonomy" circumscribed by a set of pre-political individual rights presupposes the "public autonomy" of citizens acting together, in a certain kind of solidarity. Habermas thus refers to public and private autonomy as "equiprimordial."²⁰ Put another way, this proceduralist paradigm identifies an "internal relation" between democracy and the rule of law. In either formulation, the connection between justice and solidarity remains in force, insofar the universalism of a theory of rights is viewed as grounded in a particular, shared form of life, albeit of a unique and precise kind, in which those rights are "actualized".

As I have already mentioned, the unique form of life that Habermas has in mind is the shared lifeworld of a democratic citizenry. Yet as in the WCP address, Habermas is wary of characterizing this form of life as "ethical" without qualification. "To the extent to which the shaping of citizens' political opinion and will is oriented to the idea of actualizing rights," he says, "it cannot, as the communitarians suggest, be equated with a process by which citizens reach agreement about their ethical political understanding."²¹ Still, he continues:

But the process of actualizing rights is indeed embedded in contexts that require such discourses as an important component of politics – discussions about a shared conception of the good and a desired form of life that is acknowledged to be authentic. In such discussions the participants clarify the way they want to understand themselves as citizens of a specific republic, as inhabitants of a specific region, as heirs to a specific culture...and so on...Because ethical-political decisions are an unavoidable part of politics, and because their legal regulation expresses the collective identity of a nation of citizens, they can spark cultural battles in which disrespected minorities struggle against an insensitive majority culture. What sets off the battles is not the ethical neutrality of the legal order but rather the fact that *every legal community and every democratic process for actualizing basic rights is inevitably permeated by ethics*.²²

This remarkable passage demonstrates precisely why the strict separation between "ethical" and "political" lifeworlds is misguided. Any actually existing citizenry is going to be bound together to some

degree by shared "ethical" values - ideas, for example, about what it is to be European, about the meaning of a shared history, about the values that are embedded in constitutional traditions, and so on. The key for contemporary multicultural and otherwise diverse societies is to recognize that this is a "thin" kind of collective identity that can (and even must) incorporate a wide variety of "thicker" forms of collective identity – various religious and cultural traditions, for example. Habermas recognizes as much in his conception of "constitutional patriotism," which he characterizes as a form of collective identity "rooted in an interpretation of constitutional principles from the perspective of the nation's historical experience."²³ As such, he attributes to constitutional patriotism the ability to integrate citizens politically without demanding broader cultural assimilation. And yet again he insists that this form of political solidarity remains "permeated by ethics."²⁴ Thus the difference between this weaker "political" form of solidarity and collective identification and a more robust "ethical" or "cultural" lifeworld seems to be a difference in degree rather than kind.

As one can see then, the idea that justice and ethics are linked together by solidary communities of discourse is deeply embedded not only in the earlier discourse ethics, but also in the more recent reflections on the discursive foundations of law and democracy. Thus Habermas' rejection of this view must be understood as a much more profound shift in his thinking than the brief reflections he has offered in recent addresses might suggest. Regardless of his current thinking however, it seems to me that his arguments here are sound.

In addition to the ways in which national (and perhaps even postnational) identities are inherently "permeated by ethics," it is equally important to recognize the ways in which sub-national, "ethical" communities are inherently political. Habermas already notes one way in which ethical discourses of "self-clarification" can become political: when "disrespected minorities struggle against an insensitive dominant culture." But there are various ways in which groups can contribute to the democratic self-understanding of a nation, not all of which correspond to a strongly shared ethical or cultural worldview.

One example that Habermas consistently uses to illustrate the process by which discourses of what he calls "self clarification" can become political is the "feminist politics of equality."

This example is interesting precisely because women do not share a strong "ethical" worldview or a given set of values, even within particular nations. Yet there is a sense in which feminism (especially in its second wave manifestation) does essentially involve a discourse of "self-clarification" of what it means to be recognized and respected as a woman. This discourse is crucial, Habermas thinks, because it represents a necessary intervention in a larger discourse about the meaning of equality. Early feminisms fought for formal legal equality, especially as manifested in universal suffrage. But while this was a necessary step on the way to full equality, it quickly became obvious that it was not sufficient. As Habermas recognizes, "the formal equality that was partially achieved merely made more obvious the ways in which women were in fact treated unequally."25 Cultural and material barriers to equality - the feminization of poverty, deep seeded cultural misogyny, and so on - continued to prevent women from achieving full social recognition. Thus second wave feminism turned to addressing the social and cultural, in addition to the legal bases of equality. Habermas thus understands feminism as entailing a "dialectic of legal and factual equality," that illustrates the inherent link between public and private autonomy. A strict focus on formal legal equality - the right to vote, for example - aims to secure public autonomy at the expense of private autonomy. It legally mandates equal rights while ignoring the private barriers to exercising such rights: lack of education, financial instability, poor health, and so on. On the other hand, a strict focus on material equality - through social welfare programs, for example - aims to secure private autonomy at the expense of public autonomy. In aiming to secure the material bases for the effective exercise of formal rights, the social welfare state paternalistically transforms the active, participatory citizen role into a passive, consuming client role. It can thus disempower the very groups it means to enable.²⁶ This dilemma is only overcome - equal rights only "actualized" - when the affected parties themselves engage in discourses meant to clarify their own needs and the way that those needs can be

most effectively met.²⁷ This is where the distinction between "public" and "private" breaks down, and where discourses of self-clarification take on a political character that points beyond the boundaries of the group. As such, it is a clear example of the way in which both public and private autonomy are embedded within actual discursive practices, as Habermas' "proceduralist" paradigm maintains.

Discourses like this play a key role in the larger project of forging a shared democratic political identity (presuming that constitutional patriotism would have to include as basic the recognition of gender equality). But that is not the only sense in which they are political. Discourses that attempt to forge a collective identity based not on a pre-existing cultural identity, but primarily on the contingent historical fact of a group's oppression can also be seen as political in Habermas' sense, regardless of whether or not they are oriented toward influencing a broader national (or postnational) political identity. They are "forward-looking," and they conceive of solidarity as the product rather than the precondition of their collective action. This distinguishes them from cultural and national minorities, who do tend have a strong, preexisting "ethical" worldview. In previous work, I have referred to the former kinds of identities as "ascriptive," and the latter as "intentional."²⁸ Feminism provides one example of a political movement based upon ascriptive identification. The politics of black liberation, to which I will now turn, provides another.

Contemporary race theory has convincingly shown that racial identity lacks any kind of "organic" or "natural" unity. This is the essence of the widely accepted idea that race is a "social construction." The history of specific racial categories corroborates this idea, and none more clearly than the history of "blackness." In the European racial discourses from which this category was born, "blackness" ascribed an essential sameness to a whole continent of people, ignoring massive cultural, linguistic, physical, and other differences, in the name of a pseudo-biology that would turn out to be false.²⁹ With the trans-Atlantic slave trade however, this assumption of commonality became something of a self-fulfilling prophesy, when diverse groups of Africans were forced from their homelands and cultures, and thrust into a situation in which they would need to forge a common identity – at the very least a common language – in order to survive. Thus this historical contingency – the brute fact of slavery and its aftermath – gave birth over time to a rich and distinctive black culture with its own values, traditions, and practices. But it is a culture that is fundamentally different from the harmonious "ethical" lifeworlds that Habermas envisions as distinct from "political" forms of solidarity. It is a culture, and a form of solidarity, that is political through and through.

Not all would agree of course. Afrocentrics and others understand black culture as being as broad and deep as any other cultural identity despite its unique historical origins, and often insist upon a corresponding *moral* obligation for blacks to identify with and contribute to this shared cultural identity, which it sees as inherently valuable. And yet the diversity of the black experience today calls into question this supposedly common culture and the duty to develop it. This discourse of "self clarification" of what it means to be black raises precisely the same issues that arise in Habermas' reflections on solidarity, and sheds interesting light on those reflections.

In particular, Tommie Shelby's book *We Who Are Dark: The Philosophical Foundations of Black Solidarity* provides a philosophical analysis of solidarity focused on race, addressing directly the question of a "political" solidarity, and in the process illuminating a woeful blind spot in contemporary critical theory. Shelby seeks to identify a "form of political solidarity that would subordinate questions of who blacks are as a people to questions about the ways in which they have been and continue to be unfairly treated."³⁰ That is, he seeks a form of solidarity that does not presuppose or require any strong collective identification among blacks, but that is based solely on a common political task – overcoming racial oppression. In this way, he argues that black racial solidarity is a crucial part of "the effort to reconceptualize the sociopolitical order so as to make explicit what would be necessary to bring blacks and other subordinated racial groups into the body politics on terms of equality, reciprocity, and mutual respect," regardless of the fact that it cannot rely upon pre-existing "ethical" ties.³¹

This analysis of a political solidarity distinct from strong ethical ties is strikingly similar to the kind of solidarity Habermas aims to enumerate in the WCP address. And it is clearly and explicitly conceived as a means to achieving justice (the integration of blacks in terms of "equality, reciprocity, and mutual respect"). And yet as in Habermas' earlier analyses, the "ethical permeation" of political discourses becomes apparent here too. It is true that Shelby's account of solidarity avoids relying on a "thick" notion of shared identity, emphasizing instead a common *experience* of racial oppression. But this experience itself gives rise to a strong form of solidarity that he characterizes as a "special bond," involving "shared values and goals," and "mutual trust." This "robust" form of solidarity "entails normative constraints" that must be "strong enough to move people to collective action, not just mutual sympathy born of recognition of commonality or a mere sense of belonging."³² In Habermasian language then, the experience of oppression constitutes a lifeworld, upon which blacks can (and arguably even must) draw in their struggle for social justice. Here then, is another concrete example of solidarity as the "reverse side" of justice.

And yet, to repeat once more, black political solidarity is less a case of a politicization of a preexisting "ethical" form of life than it is the "ethicization," for lack of a better word, of a pre-existing political reality – the reality of group oppression. This is precisely the same dynamic that is at play in feminism, in which solidarity among women comes about as a *result* of the political reality of women's oppression. Whatever one might say about the successes and failures of these movements, it is clear enough historically that they do not suffer from a lack of motivation, nor an inability to translate individual motivation into collective action. Indeed, one of the most common criticisms of these and other forms of "identity politics" involve the claim that their in-group loyalties are *too strong*, and undermine wider intergroup alliances and more general concerns for social justice. Criticisms of this sort are misplaced however. For one, identity-based movements have achieved results that are not only beneficial to particular groups, but to all citizens, in the interests of justice.³³ And perhaps more importantly, given the vast internal differences within such broad social categories as 'women' and 'blacks,' the achievement of internal solidarity, far from undermining broader social solidarity, actually provides a model for it. Such a response demonstrates that movements like these possess precisely the potential that Habermas claims that secular forms of life have come to lack. It is in that sense that I believe that careful attention to these movements, as Axel Honneth, for example, has demonstrated in a formal way in his analysis of "struggles for recognition," can be understood as an alternative to the turn toward religion that Habermas seems to have undertaken.³⁴ It follows that the pursuit of justice could be achieved by attempting to "translate" the solidarity present among oppressed groups into a broader solidarity, a possibility that would repudiate Habermas' skepticism about secular forms of reasoning and action. Still, as the following and final section will make clear, this approach is not necessarily exclusive of Habermas' "postsecular" strategy, insofar as it is precisely the possibility of an ethically-based, universal solidarity that Habermas finds appealing about religion.

3. Emancipation, Religion, and Humanism: Concluding Reflections

While the idea of transforming oppressed group solidarity into a broader inter-group solidarity seems to me a more promising strategy than the idea of "translating" religious potentials, it certainly presents its own challenges. Indeed, it would be hard to claim that racial and ethnic tensions today are any less pronounced or persistent than the ongoing religious tensions that might invite skepticism about the universalizing potential of religion. Racial tensions in particular run deep within the American context that forms the background of Shelby's analysis. But in the European context as well, racial and ethnic tensions boil below the surface of current debates about unification and economic progress, tensions which Habermas' analysis largely ignores. Alas, what follows is not a blueprint for inter-racial and inter-ethnic solidarity. But I would nonetheless like to put forth the provocative view that whatever else such solidarity requires, a renewed and truly inclusive notion of what it means to be human – a rehabilitation, in effect, of a kind of humanism – is among its requirements. I cannot fully defend this claim here, but I

would like at least to point out, by way of a conclusion, that Habermas' hopes for religion as well as my alternative focus on actually existing social movements are not entirely out of sync, insofar as they both point toward the retrieval of this sort of humanism, one that could provide a minimalist foundation for the kind of solidarity necessary for global justice.

Humanism has a long and complex history, of course, both within the tradition of critical theory and more generally. The Frankfurt School is often understood as retrieving the humanistic elements of Marxism, against the strictly "scientific" historical materialism of more orthodox Marxists. However, critical theory's relationship with humanism, and Marxist humanism in particular, is significantly more complex. While early critical theorists like Georg Lukacs, Karl Korsch, and Eric Fromm were unabashedly humanist, the increasing incorporation of psychoanalytic methods, especially in the work of Horkheimer and Adorno, resulted in their distancing themselves from the assumptions of unproblematic autonomy and self-knowledge characteristic of humanism, as Martin Jay, the foremost historian of the Frankfurt School shows.³⁵ But, as Jay also recognizes, their rejection of humanism also corresponded to an increasing pessimism about the very possibility of human emancipation. Without delving into the subtleties of the Frankfurt School's reception, critique, and transformation of humanist thought then, one can at least see that the question is closely linked to the question raised in Habermas' recent work - the question of whether collective human activity is presently capable of effecting meaningful transformation in the interest of justice. Like his predecessors, one could understand Habermas' newfound pessimism about the transformational potential of secular reason in light of his rejection of the possibility of solidarity simply on the basis of a shared humanity. If Habermas is understood in this way, then maintaining hope in the transformative potential of communicative rationality might, conversely, be thought to require as its complement a broad, humanistically grounded conception of solidarity.

As I have shown above, the apparent skepticism about the possibility of this sort of solidarity present in Habermas' WCP address runs counter to much of his earlier work. It is in this earlier work that Habermas' humanistic orientation is most apparent, from his early attempts to argue, contra positivism, that scientific knowledge is "intertwined with the objective, self-formative process of the human species" to the development of his theory of communicative action with its basis in a universal pragmatics of language.³⁶ Moreover, throughout the various stages of his development, his consistent defense of Enlightenment values against their poststructuralist, postmodernist, and posthumanist detractors is perhaps the most reliable evidence of the humanistic foundations of his thinking.³⁷ It is not surprising then that, despite the ambivalence of earlier critical theorists regarding humanism, Habermas is often interpreted as returning to (or more accurately, reconstructing) the humanistic normative core of critical theory.³⁸ I would now like to briefly make the case that this humanistic core remains fundamental to Habermas' work, evident primarily (though not exclusively) in his writings on religion. That is, I will demonstrate that the possibility of strong solidarity, which he has increasingly sought in "postsecular" sources, is grounded in humanistic assumptions, specifically, in a kind of philosophical anthropology he refers to as a "species ethic."

Habermas' recent reflections on religion seem to have been prompted by at least two major developments. On the one hand, the attacks on September 11, 2001 and the global conflicts which resulted made clear that linear narratives of "secularization" were deeply flawed. On the other, Habermas is troubled by the emergence of genetic manipulation and other biotechnologies that "could change the self-understanding of the species in so fundamental a way that the attack on modern conceptions of law and morality might at the same time affect the inalienable normative foundations of social integration."³⁹ In response to the latter, Habermas considers the possibility of "moralizing" human nature by way of "the assertion of an *ethical* self-understanding of the species."⁴⁰ This "species ethic" would identify (or perhaps construct) the boundaries of that form of life that is specifically human, that which "concern[s] not culture,

which is different everywhere, but the vision different cultures have of 'man' who – in his anthropological universality – is everywhere the same."⁴¹ This is not meant to deny the vast diversity of human cultures, but rather to emphasize that such diversity is grounded in, even made possible by, a common humanity.

The volume that succinctly presents this line of argument, appropriately entitled *The Future of Human Nature*, ends with some cursory reflections on "faith and knowledge," inaugurating a theme that Habermas has now spent over a decade wrestling with.⁴² It is perhaps unsurprising that these humanistic reflections lead him to a reevaluation of religious traditions, as humanism is deeply indebted to various religious traditions, for example, in the idea that humans are created *imago Dei*, in the image of God, and as a result have an inherent worth and dignity.⁴³ Indeed, the idea of a species ethic is remarkably similar to (perhaps a secular "translation" of) the kind of "universalistic communitarianism" that Habermas identifies as the feature of religious worldviews that make them promising sources of solidarity.⁴⁴ In spite of common understandings and contemporary uses of the term that assume an oppositional relationship between humanism and religious traditions then, it is clear that Habermas sees no such necessary conflict. The attraction and attention to religious traditions, for him, can in large part be attributed to their humanistic orientation, and the possibilities of solidarity that this entails.

Habermas' reflections on a species ethic and its connection to religious traditions also provides yet another challenge to the strict separation of "pre-political" ethics and political morality. For if normative reflection can or must ultimately be grounded in our shared humanity in order to be motivating, then justificatory discourses of various kinds (moral, legal, and discourses of "self-clarification") need not be completely divorced from this weak "ethical" assumption in order to achieve universality. A common humanity might be enough to generate and motivate general moral obligations. I cannot pursue this point here, but others have developed plausible interpretations along these lines.⁴⁵ What I would like to do is demonstrate that the humanistic task of demarcating a common humanity as a foundation for political praxis is also shared by the sociopolitical movements that I have examined above.

To this end, I must briefly consider the critique of humanism in more general terms, beyond its specific manifestation in the Frankfurt School tradition of critical theory.

The main critique of historical humanism can perhaps be summed up in Charles Mills' quip that "European humanism usually meant that only Europeans were human."46 Ironically, in circumscribing the boundaries of the human, humanism inherently runs the risk of dehumanization - the ultimate exclusion of that which falls outside of those circumscribed boundaries. And even when traditional European humanism did extend the boundaries of the human beyond the European, it was rarely on terms of equality. Herder's 18th century humanism, for instance, insisted on the common humanity of all the world's peoples, against the grain of the emerging racialism of his time. However, his search for "new specimens of humanity" among Jews, Africans, Americans, and other non-European groups implied their inferiority, as if to insist upon a counterintuitive point by exclaiming "even these are humans." As Hannah Arendt writes, his strategy was to conceive of these groups "as more alien, and hence more exotic, than they actually were, so that the demonstration of humanity as universal principle might be more effective."47 The alternative to dehumanization then, appears here as the fetishism of "exotic" human groups. This has lead some to reject the project of humanism altogether. And yet, many others have responded to the exclusions and exoticisms characteristic of European humanism by insisting upon the humanity of the excluded, and/or reconstructing the terms of their recognition. This sort of revisionist humanism was and is often pursued by the marginalized and excluded themselves, demonstrating that the propagation of humanism is not (and probably never was) an exclusively European project.

In Africa, for example, humanism was a primary driving force in the 20th century struggles for decolonization and independence. African leaders and intellectuals like Kwame Nkrumah, Julius Nyerere, and Kenneth Kaunda drew upon a humanist tradition rooted in traditional African values as a foundation for national and Pan-Africanist solidarity, as well as for a distinctly African socialism. Among those traditional African values, egalitarianism figured centrally. Nkrumah, for instance, asserts that "any

meaningful humanism must begin from egalitarianism" and that the goal of African socialism should be "to reconsider African society in such a manner that the humanism of traditional African life re-asserts itself."⁴⁸ Nyerere's conception of *ujamaa* is similarly grounded, giving central place to egalitarianism, and rejecting the centrality of conflict characteristic of European Marxism in favor of a broad, humanistic solidarity.⁴⁹ And Kaunda's Zambian Humanism, like Nkrumah and Nyerere but more explicitly, elevated humanism to the level of official national ideology, also emphasizing egalitarianism, non-exploitation, and solidarity, and incorporating principles of Christianity in their interpretation.⁵⁰ These theorists and movements challenge the idea of humanism as a dehumanizing colonialist ideology.

Across the Atlantic, abolitionists like Frederick Douglass were motivated by humanist ideals similar to those espoused a century later by African intellectuals. Douglass, an immanent critic but ultimate believer in Enlightenment liberalism, sought to expand its principles to encompass all human groups. The historian Waldo E. Martin thus claims that "the guiding assumption unifying Douglass' thought was an inveterate belief in a universal and egalitarian brand of humanism."51 This brand of humanism would be incredibly influential upon the mainstream Civil Rights Movement, pursued by humanist leaders like Martin Luther King Jr. But it was not only philosophical liberals like Douglass and King who espoused humanist ideals. Black radicals like C.L.R. James developed their own brand of Marxist humanism (though James would have considered the phrase redundant⁵²) emphasizing the spontaneity of human political activity, against the rigid assumptions of the orthodox "scientific" Marxism dominant at the time. In this respect, his version of Marxism shares certain affinities with early critical theorists that are only recently beginning to be recognized and developed.⁵³ Like his later African counterparts and his earlier American predecessors, James attempted to come to terms with the exclusionary nature of European humanism without abandoning its central tenets. According to Brian Alleyne, he "sought to articulate a vision of history that encompassed all of humanity, whilst remaining aware of the contradictory and often exclusionary ways in which humanism and universalism have developed."54

No doubt there were countercurrents and anti-humanist trends within African and African-American political discourse. As with the Frankfurt School, and probably to an even greater degree, the black radical tradition has had a complex relationship with humanism. But the above examples show that it is simplistic and false to paint a picture of a debate between European humanism and non-European resistance to its colonialist assumptions. Humanism is deeply rooted in anti-colonial, anti-racist, and anticapitalist discourses, as much as it is rooted in the European Enlightenment. And contrary to some interpretations that understand humanism as synonymous with secularism, it is also rooted in various religious traditions; in many cases, the religious and radical influences have become inseparable, for example, in the interpretations of Christianity that undergird some versions of African socialism and African-American abolitionism. This demonstrates that, though religious traditions may not be the sole wellspring of solidarity, neither are they necessarily opposed to the sociopolitical movements that I have identified as an alternative to Habermas' turn toward religion.

My point then, in concluding with these necessarily limited reflections on humanism, is to identify a common denominator of the religious traditions Habermas has turned to as repositories of solidarity, and the sociopolitical movements that I argue Habermas has come to overlook, against his own earlier advice. Though I have raised doubts about whether religious traditions have an *exclusive* claim on the kind of solidarity sorely needed today, these traditions may well contain sources of solidarity similar to those that I have argued are identifiable in contemporary movements like feminism and black liberation. Both often rely on a conception of what it means to be human, and both point to the folly of abandoning the "reverse side" argument, which recognizes the centrality of solidarity to any actionable conception of justice. If the idea of a global democratic community cooperating on terms of justice is not hopelessly utopian, it seems to me that it must be founded on some basic notion of humanity: of what it means to be human, and perhaps why democracy (in the broadest sense) is crucial to achieving that humanity. This would not preclude the existence and flourishing of a diverse array of cultures and other forms of life. To the contrary, it is a necessary condition for their flourishing, if not their very existence. If Habermas truly has abandoned such a project, then his abandonment represents a dramatic shift away from a theme that has been at the core of his work for most of his career. It also represents a serious mistake, one that contemporary critical theorists and others interested in human emancipation, global justice, or even regional stability would do well not to follow Habermas in making.

Notes

⁵ "Justice and Solidarity."

⁶ Ibid, 244.

⁷ Ibid.

⁹ Ibid, 208.

¹⁰ Ibid, 207. Original emphasis.

¹¹ Ibid, 202.

¹³ "Constitutionalization of International Law" 7.

¹⁴ Susan Moller Okin. Justice, Gender, and the Family. New York: Basic Books, 1991.

¹⁵ An Awareness of What is Missing: 19.

¹⁶ Ibid, 75.

17 Ibid.

¹⁸ See "Reply to my Critics" pp. 347-91 in Eds. Craig Calhoun, Eduardo Mendieta, and Jonathan VanAntwerpen *Habermas and Religion*. Cambridge: Polity Press, 2013: 352-357.

¹⁹ Ibid, 356.

²⁰ See Chapter 9 of Between Facts and Norms.

¹ See Jurgen Habermas, "Justice and Solidarity: On the Discussion Concerning Stage 6," pp.224-51 in Thomas Wren, *The Moral Domain: Essays in the Ongoing Discussion between Philosophy and the Social Sciences*. (Cambridge: MIT Press, 1990); and "Morality and Ethical Life: Does Hegel's Critique of Kant Apply to Discourse Ethics?" pp. 195-215 in Jurgen Habermas, *Moral Consciousness and Communicative Action*. Trans. Christian Lenhardt and Shierry Weber Nicholsen. (Cambridge: MIT Press, 1990).

² This address, given at the 23rd World Congress of Philosophy in Athens, Greece on August 6, 2013, has been published as "Plea for a Constitutionalization of International Law," pp. 5-12 in *Philosophy and Social Criticism*. Vol. 40 no.1. (2014). The quote is from footnote 8.

³ See Chapter 4 of *Between Facts and Norms*. Trans. William Rehg. Cambridge: MIT Press, 1999; "On the Relation between the Nation, the Rule of Law, and Democracy," p. 129-55 in *The Inclusion of the Other: Studies in Political Theory*. Cambridge: MIT Press, 1998; and "Struggles for Recognition in the Democratic Constitutional State," Habermas' reply to Charles Taylor's essay on multiculturalism, collected in *Multiculturalism*. Ed. Amy Gutmann. Princeton: Princeton University Press, 1994.

⁴ See Jurgen Habermas, *The Future of Human Nature*. Trans. Hella Beister, Max Pensky, and William Rehg. Cambridge: Polity Press, 2003; as well as *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age*. Trans. Ciaran Cronin. Cambridge: Polity Press, 2010.

⁸ "Morality and Ethical Life" 197.

¹² "Justice and Solidarity" 245. Viewed in light of Habermas' first major work, *The Structural Transformation of the Public Sphere...* which predates the development of DE, but which is concerned about publicity as a normative principle. This suggests that the discourse ethic grows out of concretely political concerns, rather than the political theory being a mere application of the DE.

²¹ "Struggles for Recognition" 125.

²² Ibid. My emphasis

²³ Ibid 134.

24 Ibid.

²⁵ Jurgen Habermas "On the Internal Relation between Democracy and the Rule of Law" pp.253-65 in *The Inclusion of the Other*. Cambridge: MIT Press, 1998: 263. Original emphasis.

²⁶ Nancy Fraser makes a similar point in "Women, Welfare, and the Politics of Need Interpretation" Hypatia: A Journal of Feminist Philosophy. Vol. 2 no. 1 (1987): 103-121; see also Iris Marion Young. *Justice and the Politics of Difference*. Princeton: Princeton University Press: 1990: 53-55.

²⁷ Between Facts and Norms, 425.

²⁸ Self-identifying reference omitted.

²⁹ For an historical survey of conceptions of blackness and of race more generally, see Eds. Robert Bernasconi and Tommy L. Lott. *The Idea of Race*. Indianapolis: Hackett, 2000.

³⁰ Tommie Shelby. We Who Are Dark: The Philosophical Foundations of Black Solidarity. Cambridge: Harvard UP, 2005. 4.

³¹ Ibid, 16.

³² Ibid, 68.

³³ On this point, see Linda Alcoff. Visible Identities. Oxford: Oxford University Press, 2005.

³⁴ See Axel Honneth. *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. Cambridge: MIT Press, 1996.

³⁵ Martin Jay. *Permanent Exiles: Essays on the Intellectual Migration from Germany to America*. New York: Columbia University Press, 1986: 14-28.

³⁶ Quote is from Jurgen Habermas. *Knowledge and Human Interests*. Trans. Jeremy J. Shapiro. Boston: Beacon Press, 1971: 5. For the Theory of Communicative Action, see Jurgen Habermas. *The Theory of Communicative Action. Vol. 2. Lifeworld and System: A Critique of Functionalist Reason*. Trans. Thomas McCarthy. Boston: Beacon Press, 1981.

³⁷ See Jurgen Habermas. *The Philosophical Discourse of Modernity: Twelve Lectures.* Trans. Frederick Lawrence. Cambridge: MIT Press, 1990.

³⁸ Martin Halliwell and Andrew Mousley. *Critical Humanisms: Humanist/Anti-Humanist Dialogue*. Edinburgh UP, 2003. Characterize Habermas as a "civic humanist." See also Lorenzo Simpson. *The Unfinished Project: Toward a Postmetaphysical Humanism*. New York: Routledge: 2001.

³⁹ The Future of Human Nature, 26.

⁴⁰ Ibid, 25. My emphasis.

⁴¹ Ibid, 39.

⁴² In addition to *An Awareness of What is Missing*, discussed above, see Jurgen Habermas. *Between Naturalism and Religion: Philosophical Essays*. Cambridge: Polity Press, 2008; Habermas' dialogue with Joseph Ratzinger in *The Dialectics of Secularization: On Reason and Religion*. San Francisco: Ignatius Press, 2006; and Eds. Eduardo Mendieta and Jonathan VanAntwerpen. *The Power of Religion in the Public Sphere*. New York: Columbia University Press, 2011.

⁴³ See The Dialectics of Secularization.

⁴⁴ An Awareness of What is Missing, 75.

⁴⁵ See William Rehg. *Insight and Solidarity*. Berkeley: University of California Press, 1997; and Somogy Varga "Habermas' 'Species Ethics' and the Limits of 'Formal Anthropology.'" *Critical Horizons* 12.1 (2010): 71-89.

⁴⁶ Charles Mills. The Racial Contract. Ithaca: Cornell University Press, 1999: 27.

⁴⁷Hannah Arendt. Origins of Totalitarianism. New York: Schocken Books, 1976: 78.

⁴⁸ Kwame Nkrumah. "African Socialism Revisited" pp. 438-45 in *Revolutionary Path* (New York: International Publishers, 1973): 438.

⁴⁹ Julius Nyerere. *Ujamaa: Essays on Socialism*. Oxford: Oxford University Press, 1974. Ujamaa is often translated as "family" or "brotherhood," but it could easily be translated as "solidarity" as well.

⁵⁰ Kenneth Kaunda. *Humanism in Zambia and a Guide to its Implementation*. Lusaka: Zambia Information Services: 1988; Kenneth Kaunda. *A Humanist in Africa: Letters to Colin Morris*. Nashville: Abingdon Press, 1966.

⁵¹ Waldo E. Martin. *The Mind of Frederick Douglass*. Chapel Hill: University of North Carolina Press, 1984: ix.

⁵² See John H. McLendon III. *C.L.R. James's Notes on Dialectics: left-Hegelianism or Marxism-Leninism*. Lanham, MD: Lexington, 2005; specifically the chapter on "James's Locus as Marxist Philosopher: The Humanist/Anti-Humanist Debate."

⁵³ See Reiland Rabaka. Africana Critical Theory: Reconstructing the Black Radical Tradition from W.E.B. Du Bois and C.L.R. James to Franz Fanon and Amilcar Cabral. Lanham, MD: Lexington Books, 2009.

⁵⁴ Brian Alleyne. "C.L.R. James, Critical Humanist," 175-197 in Ed. Christopher Gair. *Beyond Boundaries: C.L.R. James and Postnational Studies*. London: Pluto Press, 2006: 175.