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Unconscious reasons: Habermas, Foucault, and psychoanalysis

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Abstract

The Habermas–Foucault debate, despite the excellent commentary it has generated, has the standing of an 'unfinished project' precisely because it occasions the interrogation of the fundamental categories of modernity, and because the lingering sense of anxiety, which continues to remain after arguments and counter-arguments, demands new interpretations. Here, I advance the claim that what gives Habermas's criticisms of Foucault's histories and theoretical formulations their bite is the categorial distinction he maintains between facts and rights, and by extension, between causes and reasons. The Kantian distinction between *de jure* (in principle) validity and de facto (factual) effectivity underwrites the categorial distinction between both 'norms/facts' and 'reasons/causes' conceptual pairs, which distinction, in turn, is reinforced by a picture of the natural world as matter in motion and human agency as self-determination. I want to claim that Foucault's work enacts a critique of Habermas not by evading the problem of justification but by undermining the very distinctions Habermas needs to maintain the universal and necessary status of communicative rationality. Drawing on Jonathan Lear's discussion of reasons and causes in relation to the unconscious, I claim that psychoanalytic discourse helps us make intelligible a type of reflection—such as one finds in Foucault's historiography— that is at once "critical and empirical." Moreover, the realization that the distinction between causes and reasons may not be categorial and exhaustive shows how Habermas's insistence on the contrary leads to one particular kind of misrecognition of our practices.

Keywords Habermas · Foucault · Psychoanalysis · Communicative rationality · Genealogy

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1 Introduction

It is exaggerating the case only a little to say that Habermas and Foucault represent—or, it seemed they represented for a long time—the two possible but mutually exclusive courses critical reflection could take on rationality and social agency. Regardless of the complications one added to their accounts, the debate seemed to impose (or, presuppose) a choice between a normatively grounded rationality, without which the very idea of critique would languish, and a groundless critique, which alone could diminish the disciplinary force of rationalized norms. Several more recent interpretations have substantively complicated the terms of this choice and thereby enriched the paths that are still open for critical theory.[1] There is, however, a sense in which uneasiness still persists whenever those sympathizing with the one author engage those agreeing with the other, and talk past each other, because it is not easy to conceptually articulate in a 'common' language this choice otherwise than between reason as such and *something else*. I think it is important to try and understand the source of this uneasiness, for it, in part, stems from how certain forms of rationality come to have constitutive (or regulative) status, and thereby determine the very force of reasons.

Therefore, in the following, I advance the claim that what gives Habermas's criticisms of Foucault's histories and theoretical formulations their bite is the categorial distinction he maintains between facts and rights, and by extension, between causes and reasons. Although many commentators have drawn attention to this aspect of Habermas's (quasi-) transcendental theory of communicative rationality, the distinction structures his thought more fundamentally. So, in part one, I offer a reconstruction of Habermas's central arguments organized sharply around the terms of this distinction. This, and the way Habermas claims constitutive status for it in modernity, enables us to better understand the lingering uneasiness even after the defenses of Foucault.

In part two, I appeal to a type of discourse, namely, psychoanalysis, which is problematic for both authors. Drawing on Jonathan Lear's discussion of reasons and causes in relation to the unconscious, I claim that psychoanalytic discourse helps us make intelligible a type of reflection—such as one finds in Foucault's historiography—that is at once "critical and empirical" (OT, 320).[2] Moreover, the realization

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[1] I am thinking, in particular, of the following works: Tully (1999), Butler (1997), Allen (2007), Oksala (2005), Huffer (2009) and Rockhill (2016) Butler's and Allen's works, in particular, argue that Foucaultian critique should be developed to incorporate insights from psychology and psychoanalysis in order to increase its explanatory power and critical force (see, especially, Allen, chs. 4 and 5). I intend the following discussion of reasons and causes drawing on elements of psychoanalysis to further that project by interrogating what is in fact one type of rationality, but also, and importantly, how it assumes constitutive (or regulative) status in our epistemological categories. I am grateful to Amy Allen and Gabriel Rockhill for their comments on a draft version of this article.

[2] The passage occurs in Foucault's discussion of the "analytic of finitude", where the expression is meant as a contradiction, signaling a regression to "pre-critical naïveté". Béatrice Han claims that Foucault's own formulations of his critical project(s) fall afoul of the same inconsistencies stemming from a failure to properly distinguish the transcendental and empirical standpoints. See Han (2002), especially Part 1. Although I do not agree with her main conclusions, and even less with the unargued assumption that Foucault presupposes a philosophical foundation that he cannot provide, her thoroughly researched

that the distinction between causes and reasons may not be categorial and exhaustive reveals how Habermasian communicative rationality leads to a particular kind of misrecognition of practices. In other words, the Kantian distinction between *de jure* (in principle) validity and de facto (factual) effectivity underwrites the categorial distinction between both 'norms/facts' and 'reasons/causes' conceptual pairs, which distinction, in turn, is reinforced by a picture of the natural world as matter in motion and human agency as self-determination. I want to claim that a Foucaultian conception, with the aid of psychoanalytic arguments, enacts a critique of Habermas not by evading the problem of justification but by undermining the very distinctions Habermas needs to maintain the universal and necessary status of communicative rationality. Notwithstanding Foucault's objections to psychoanalysis, this entails that a more nuanced evaluation of its theory and practice is needed not only to better understand its proximity to Foucault's histories but also to render more effective the latter's critical force by providing a substantive account of how norms generate their hold.

1.1 Part one: Rights versus facts of knowledge

In many ways, Habermas's reading of Foucault is unfair.[3] But I consider his critique of Foucault to be exemplary to the extent to which he does not deny the pertinence of nondiscursive practices (power) to an analysis of discursive forms (knowledge) but insists on the *necessity* of inscribing them in a normative frame, which subsumes strategic relations of force, as their ultimate horizon. From that standpoint, the methodological reduction of truth and rationality which is presupposed by a concept like Foucault's 'historical a priori' can only generate self-defeating strategies: refusal to engage in explicit normative justification of one's own standpoint recoils on the concepts deployed from that very standpoint. Therefore, *if* Foucault's history of madness, say, employs the thesis of an articulation between coercive practices of control and epistemic practices, in order then to make visible the complicity of the normative standpoint of modern psychiatry with strategies of domination, *then* the very conceptual language Foucault uses is implicated in that domination.[4] Hence

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Footnote 2 (continued)

and rigorously argued discussion makes it clear that understanding Foucault's histories as the enactment of some form of *critique* requires (a) a response to the transcendental theme and (b) an account of self-relation without transcendental legitimation. In the present study, even though I address these issues indirectly, my discussion of Foucault and Habermas in relation to reasons and causes is also one way of showing how, pace Han, Foucault's "critical project" involves not the historicization of the transcendental but rather its (successful) abandonment.

[3] See, for example, Tully (1999).

[4] J. Derrida's criticisms of Foucault, most notably but not exclusively in "Cogito and the History of Madness" stand in a curious relation of symmetry to those found in Habermas. Here the charge would be not that Foucault's refusal of categorial separation (between principle and fact, reason and cause) leads to an *indeterminate* conflation of different types of practices, but that his reference to rules *as such* in characterizing the historical a priori results in *too much* determination. Or, in any case, more determination than can be maintained. And that impossibility, not unlike the fundamental thrust of Habermas's argument, is referred not to the contingency of historical practices, but to a quasi-transcendental level; unlike Habermas's account, however, this level involves conditions of possibility that are also conditions

Habermas's reading of Foucault makes emphatic use of those distinctions which have categorial standing in modernity, and thereby serves as a poignant site for their critique.

For Habermas, the cognitive instrumental relation between the subject and the object must be placed in the broader horizon of communicative reason.[5] And Foucault is charged precisely with ignoring that horizon in favor of privileging what is only *one* form of rationality: namely, that of instrumental and strategic relations. Contrary to this narrowing of horizon, restoration of intersubjective interactions to their properly communicative dimension would then permit the expression of normative principles implicit in dialogue. Following the logic of transcendental argumentation familiar from the *Critique of Pure Reason* we would then get: "Mutual understanding and action coordination are possible *only if …*" where the consequent would articulate necessary conditions with transcendental status.[6]

But since that status is not derived from a theory of faculties of the mind, its principles would not be threatened by the circularity or dogmatism which potentially impugn the Kantian deduction.[7] Habermas's strategy is to derive that status by attending to the necessity implied by having to raise cognitive and practical validity claims in intersubjective dialogue and debate. Since I must raise validity claims not only when I make cognitive claims (truth-claims), but also when I express my intentions or when I make judgments of taste, communicative rationality provides the universal and necessary framework regulating both moral-practical and aesthetic-practical interactions.[8] Strictly speaking, Habermas mitigates the universality and the necessity claimed for the framework of communicative rationality by invoking a *quasi*-transcendental ('weaker') status for its norms. That is, their difference from the Kantian a priori is also marked by their being based on a rational reconstruction of the presuppositions of argumentation as a fundamental practice of modern societies. But to the extent that the form of life instantiated by the latter is to be

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Footnote 4 (continued)

of impossibility. It would be possible to repeat, for Derrida's work, the type of reconstruction offered here to render visible the epistemological function played by the *in principle* priority of right over fact. On Derrida's use of the term "quasi-transcendental, "see Bennington (2008) pp. 223–236, especially p. 229f against "historicist" readings of this problematic notion.

[5] For various expressions of this strategy, see *PDM*, pp. 294-327, *MCCA* pp. 1–20, 116–194, *TCA* 1, parts I and III. The criticism of Foucault from that perspective is pursued at length in *PDM* parts IX and X.

[6] For instance, "The quasi-transcendental necessity with which subjects involved in communicative interaction orient themselves to validity claims is reflected only in their being *constrained* to speak and act under idealized conditions" (MCCA, 203).

[7] The key Kantian distinction between "question of fact" and "question of right" occurs at B 116–117. He explicitly identifies his task as that of the deduction of what *legal title* we have to the employment of the categories, i.e. whether we are *entitled* to apply them in experience. Therefore, the question concerning the objective validity of the categories is recast in terms of their justification: subjective conditions of thought will have objective validity, if it can be shown that no object of experience in general would be possible in their absence. "Possible experience" is the concept whereby Kant intends to demarcate this legitimacy: the use of the categories is justified within the limits of possible experience.

[8] See *TCA* 1, p. 305 ff for an analysis of validity claims in relation to communicative action. Habermas claims that his analysis of "Please bring me a glass of water" "holds true for *all* speech acts…." p. 307.

normatively superior to alternative forms of life, the Kantian divide between in prin-
ciple validity and de facto effectivity survives its Habermasian reinscriptions.[9]

Habermas, like Foucault, narrates a history of the emergence of modernity. Its
crucial difference from the one told by Foucault is that, relying on some elements of
Hegel's transposition of deductive function on to retrospective historical narration,
it is to perform a *legitimation* of the standpoint of modernity.[10] It has two important
moments for my purposes. First, it describes the process whereby practical, cogni-
tive, and aesthetic claims no longer presuppose a foundation in religious or meta-
physical worldviews. Second, they rather constitute three spheres of value: morality,
science, and art. For Habermas, their categorial separation implies that relations of
domination result not from the instrumental nature of rationality as such, but from
the colonization of the life-world by economic and administrative systems governed
solely by functional imperatives.[11] Even though Habermas carefully distinguishes
between the differentiation of validity spheres, which is internal to the life-world,
and system; and even though the colonization thesis itself is explicated by him
through the historical narrative of the process of modernization; Habermas must
maintain the categorial externality of system to life-world to (a) provide a normative
criterion of evaluation for those cases of the latter's distortion, (b) explain the factual
emergence of those very cases of distortion. Therefore, what must remain a constant
in his account, notwithstanding the nuanced complexity he does acknowledge, is
precisely that divide between what holds in principle and what occurs in fact.

Thus part of what Foucault describes through an analysis of the transformation
of "work" is incorporated into Habermas's account; so is the Marx-inspired analy-
sis of class-conflict.[12] But they are both referred to a *colonization* of the life-world,
which only impedes the development of the latter's communicative potential. There-
fore, power, which Habermas analyzes under media and money, is *external* to the
life-world, which harbors the liberating possibilities of self-determination implicit

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[9] And since I will claim below that one motivation for the Foucaultian alternative may be found in the
insight that no amount of argumentation in the world can pick up the slack generated by that divide,
Habermas's appeal to *quasi*-transcendental status will have been vitiated if, and to the extent that, his
emphasis on universality and necessity is to be stronger than contingency and particularity.

[10] I follow here the thesis advanced by Pippin (1989), especially chapter 2, concerning Kant's account
in the transcendental deduction and the function which Hegel attributes to his phenomenology in the
system. Even though I find his development of the "apperceptive theme" through German Idealism lucid
and compelling. the distinction he sometimes wants to make between an "epistemological Hegel" and a
"social–historical Hegel" can no longer be maintained on Hegelian terms, since no sense can be given
to "reasons" which would abstract from their entanglement with "social sanctions". The point applies
equally to Habermas to the extent to which he too retains the problematic of self-legitimation, albeit in
different forms, which one finds in Kant and Hegel—his objections to "philosophies of consciousness"
notwithstanding.

[11] See *MCCA*, p. 17, *TCA* 2, pp. 194–196 ("completely differentiated validity spheres" p. 196); on the
colonization thesis, the following is a typical claim: "…we have to show that the theory of communica-
tion can [explain] how it is that in the modern period an economy organized in the form of markets is
functionally intermeshed with a state that has monopoly on power, how it gains autonomy as a piece of
norm-free sociality over against the life-world, and how it opposes its own imperatives based on system
maintenance to the rational imperatives of the life-world" (PDM, 349).

[12] The passage quoted above continues with an analysis of Marx in this register, and *TCA* 1 engages
Weber directly, as well as his occasional contrasting with Marx.

in modernity.[13] The process of secularization which liberates the life-world from the suffocating hold of traditional norms is a positive accomplishment, which is only partially colonized by the norm-free logic of economic and administrative relations. The latter are always *secondary and derivative*.

Consequently, the positive moment of Habermas's critique claims to incorporate what is good in Foucault, while avoiding what is bad. Concrete historical analysis is accepted as indispensable in order to prevent critique from becoming perpetual negativity, but transcendental reflection is also admitted in order to justify and ground practices by invoking necessary communicative norms. And the conception of knowledge as categorially differentiated underwrites this critical reflection. From this standpoint, Foucault's invocation of power can only appear as an ontological substance, and therefore pre-critical dogma.

Habermas's analysis of scientific knowledge is instructive in relation to this charge. He proposes an account of how scientific practices presuppose non- or pre-scientific interests. Interest in technical control grounds empirical-analytical knowledge expressed in causal laws, whereas interest in intersubjective understanding grounds hermeneutics.[14] The former is valid over objectified processes, but its categorial separation from the latter guarantees that the intersubjectivity of action-oriented communication will remain irreducible in principle.

Moreover, the interests in technical control and action coordination are not contingent and arbitrary. These are fundamental orientations grounded in the (self-) reproduction of the human species through work and interaction.[15] Therefore, even though the account appeals to the natural history of *Homo sapiens*, which is contingent, the interests underwriting cognitive and practical practices have a quasi-transcendental necessity. And so the argument I schematized above through "Mutual understanding and action coordination are possible *only if* …" is further justified by Habermas because the antecedent is not up to any one individual. Mutual understanding and action coordination are rooted in fundamental interests, which we cannot choose not to have, on pain of ceasing to be human.

Habermas reinscribes this distinction between two kinds of interest in terms of that between system and life-world in *Theory of Communicative Action*, and the

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[13] "The Uncoupling of System and Lifeworld," in *TCA* 2, pp. 153–197 For a critical evaluation of Habermas's attempts to attenuate this aspect of his theory, see Allen, op. cit., ch. 5.

[14] "Empirical analysis discloses reality from the view point of possible technical control over objectified processes of nature, while hermeneutics maintains the intersubjectivity of possible action-orienting mutual understanding," *Knowledge and Human Interests*, p. 191. From the perspective of the dichotomies in terms of which Habermas will criticize Foucault—and his abiding concern with the problematic of rational letigimation—the shift in his work from human interests to communicative norms matters little. Therefore, the continuity between the early- and late-Habermas shows emphatically the picture of rationality I question in the second part of the present study.

[15] "I term *interests* the basic orientations rooted in specific fundamental conditions of the possible reproduction and self-constitution of the human species, namely *work* and *interaction*" (Ibid., 196) Further down in the passage he claims that "[k]nowledge-constitutive interests can be defined exclusively as a function of the objectively constituted problems of the preservation of life that have been solved by the cultural form of existence as such".

justificatory work of the argument is transposed onto a linguistic register.[16] But this modification does not matter so much for what I want to argue. The categorial distinction between the three spheres of value as *constitutive* of modernity's achievement of rationality remains. What provides both a criticism of Foucaultian description of practices and the positive account that would escape its pitfalls is the rational reconstruction of the presuppositions of intersubjective communication: there are claims to which I am implicitly committed when I raise any claim in any of the spheres of value, and all claims so raised are oriented toward intersubjective agreement as their ultimate horizon. That is to say, I am implicitly committed to justifying my claim through reasons. This process of raising claims and justifying them in the reciprocity of a dialogical situation presupposes the goal of consensual resolution of conflict.

Moreover, this resolution is to be effected only through the force of the better argument.[17] But universal consensus, reached through argumentation, as *implicit commitment* presupposed by every claim, is to be distinguished from factual agreement. Factual agreement can establish truth or rightness *only if* speakers implicitly understand the conditions under which their agreement *would* determine truth. And since that can never exist *in fact*, an ideal speech situation is necessarily presupposed as *regulative* for all communicative interaction *in principle*. Finally, the ideal speech situation, which would be fully transparent, and hence could only be conceived in the absence of any coercion or distortion, has the factual force of the counterfactual.[18] In a genuine *tour de force*, Habermas argues that I must presuppose the ideal speech situation as *already* holding in order to engage in any genuine conversation. Such is the force of the space of reasons. Habermas does qualify this appeal to the hold which the ideal speech situation is to maintain: we must consider at least some of its conditions as realized, if the relevant practice is to count as communication. However, to the extent that the very possibility of actual communication (as well as its potential distortion) is referred to an ideal speech situation, the in principle priority of the latter over the former remains; and it is precisely this priority which grounds communicative rationality's normativity.

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[16] "Intermediate Reflections: System and Lifeworld," in *TCA* 2, part VI.

[17] *TCA* 1, pp. 28, 42, 348 ("the unforced quality that comes to a conviction only through good reasons or grounds"); *PDM*, pp. 130 and 305.

[18] *PDM*, p. 206: "But the contextualist concept of language, laden as it is with *Lebensphilosophie*, is impervious to the very real force of the counterfactual, which makes itself felt in the idealizing presuppositions of communicative action." *TCA* 1, pp. 30–31: "The concept of propositional truth is in fact too narrow to cover everything for which participants in argument claim validity in the logical sense. [Therefore] a more comprehensive concept of validity that is not restricted to validity in the sense of truth [is required]. But [this does not imply] that we have to…expunge every counterfactual moment from the concept of validity and to equate validity with context-dependent acceptability." Or again, MCCA, p. 19: "Every agreement, whether produced for the first time or reaffirmed, is based on (controvertible) grounds or reasons. Grounds have a special property: they force us into yes or no positions. Thus, built into the structure of action oriented toward [consensus] is an element of unconditionality. And it is this unconditional element that makes the validity (*Gültigheit*) that we claim for our views different from the mere de facto acceptance (*Geltung*) of habitual practices." In the same passage Habermas is clear that he sees precisely this element as what transcends the specific spatio-temporal occasion.

There are, then, a genuine consensus and a spurious one, and even though we are only ever mired in the latter *in fact*, the former guarantees the legitimacy and rationality of our interactions *in principle*. It is possible to criticize Habermas's recourse to the necessary and universal presuppositions of communicative rationality on two registers: First, it distorts our understanding of past practices (the register of historical events in their singularity); second, it distorts our understanding of present practices (the register of its critical function). The two distortions together stem from the insistence on the categorial distinction between validity claims, all of which are referred to the "unforced force of the better argument," and nondiscursive practices, which, unless they are already discursively justified, can only enter the fray to the extent to which agreement is not achieved through argumentation.[19]

One must ask: What reason is there to suppose that agreement can be underpinned and justified by formal presuppositions? Agreement does not result merely from the giving and taking of reasons, but presupposes the recognition of what is so given and taken *as* reasons. In other words, the important question is not whether I must acknowledge my implicit commitment to the space of reasons so much as what *constitutes* a statement *as* a candidate for rationality, or the conditions that determine what *counts*, in a given time and place, *as* a reason: in short, the Foucaultian historial a priori, which cannot itself be evaluated in terms of reasons, since it is constitutive of the very force reasons have contextually.[20]

To be sure, Habermas is sensitive to the fact that it is not possible to simultaneously evaluate the validity of specific claims *and* of the very framework of ideal speech situation which facilitates that evaluation.[21] But his strategy, through the "factual force of the counterfactual," is to inscribe that impossibility in a distinction between de facto and de jure consensus. This ensures that a speaker can always call a former distortion, thereby showing that what passed itself off as speech free from coercion was not *in fact* so. This would imply that the actuality of full transparency can never be established with certainty: hence Habermas's fallibilism. But the *in principle* necessity of presupposing its actuality in any specific situation where validity is at issue is referred to a fact of reason. What results from this is not only the reproduction of the interminable oscillations Foucault describes in the analytic

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[19] For a similar conclusion reached from different premises, see Allen (2012).

[20] I interpret Foucault's various conceptual proposals, e.g. historical a priori, episteme, and *dispositif*, as different attempts to articulate the spatially and temporally indexed, rule-governed practices determining cognitive and normative possibilities for a group of people. Justification for this interpretation is beyond the scope of the present study; but the argument developed here is a step toward such a justification. For a good discussion of the Foucaultian historical a priori in relation to Husserl's phenomenology, see Flynn (2016).

[21] "Only in theoretical, practical, and explicative discourse do the participants have to start from the (often counterfactual) presupposition that the conditions for an ideal speech situation are satisfied to a sufficient degree of approximation. I shall speak of 'discourse' only when the meaning of the problematic validity claim conceptually forces participants to suppose that a rationally motivated agreement could in principle be achieved, whereby the phrase 'in principle' expresses the idealizing proviso: if only argumentation could be conducted openly and continued long enough" (*TCA* 1, 42). Habermas provides a sustained discussion of what this claim involves in *MCCA*, pp. 76–109, where he is trying to justify the principle of universalization itself, without, however, reverting to what he regards as the weakness of Apel's appeal to an "ultimate justification".

of finitude[22]; it is also the occlusion of the singularity of the situations in which only *some* statements come to count as reasons and only *some* actions become candidates for certain types of evaluation.

The invocation of *singularity* should not be taken as a mystification, for it concerns nothing more nor less than the very intelligibility of historically situated practices. If Buffon only saw an undifferentiated mixture of myths *and* descriptions of empirical observations in Aldrovandi's writings, this is because, for the latter, *there was no reason* to differentiate what was written from what was seen; what was observed empirically through natural signs were as much inscriptions (*legenda*) as what one read in myths. Hence the coherent juxtaposition in one period, of what appears unprincipled mixture of fact and fiction from the perspective of another: for Aldrovandi, that an animal has a certain appearance to the naked eye is just as much knowledge of it as the roles it plays in myths. *That* difference cannot be captured by calling him more or less credulous than ourselves: he obeyed different criteria.[23]

Similarly, I could discount as nonsense or the baby-steps of modern science, the way in which Paracelsus tries to manipulate nature; but my discounting would be worse than anachronism: thereby I guarantee that it will never be intelligible how *that* could be taken seriously.[24] To suppose that both Paracelsus and I stand in the same space of reasons which, though it may allow diversity at the level of content, formally underwrites the necessity that we are all issuing validity claims, is at best a vacuous principle, of no use in rendering visible the logic governing his statements; and at worst, precisely by *transcendentally* establishing that we are basically doing the same thing, subject to the same normative values, it guarantees the empirical misrecognition of what he is doing.[25] And if he does not see and think like I do, this can only prove that he is either ignorant, or that he willfully places himself outside the space of reasons. He thereby abrogates the rights that belong only to the native inhabitants of that space by right. Perhaps, when the self-exiled foreigner is Paracelsus, this may be of little consequence; but similar arguments are

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[22] Hence, I read the analytic of finitude *as a critical argument* in *The Order of Things*, as offering not yet another transcendental or quasi-transcendental argument to the effect that the target epistemic moves are impossible *in principle*, but that we have good reasons to give up trying because they are no longer attractive; and that's because the endless oscillations they generate at best show us that they are not fruitful research programs, and at worst perpetuate a misrecognition of the practices they claim to ground.

[23] For Foucault's description of this scene, see *OT*, p. 39.

[24] For Foucault's attempt to render visible what is criterial for Renaissance knowledge, through the categories of convenience, analogy, emulation and sympathy, see *OT*, pp. 17–44.

[25] The problem, once again, is not that Habermas's appeal to intersubjective communication and its rational norms is only the Kantian a priori arrived at transcendentally. His employment of rational reconstruction, and the justificatory work he assigns to history—not unlike the teleological conception of reason as a social institution 'justified' in Hegel's phenomenology—debar unqualified charges of formalism from impugning his account. However, that he claims universality and necessity for some set of norms, however relative they are to a particular practice (communication through argumentation) and a particular form of life (non-traditional society), can only be vindicated if contextual, psychological, and historical particularity is regarded as secondary and derivative in the order of justification. For, otherwise, given Habermas's assumption regarding the set of categorial oppositions I track above, the alternatives appear either as mere descriptions of "this is how we go on", or as crypto-normative (i.e. unjustified). Cf., on this point, Finlayson (2000).

deployed in relation to "foreigners" closer to home, and to justify diverse practices of confinement.

The point at issue is not only that Habermas's account is too formalistic—though it is. As I indicated above, he also claims that historical analysis is an indispensable element of the full work of justification. His work contains a wealth of historical material, and his analyses are at times conceptually more fine-grained than those Foucault offers, especially given the latter's reticence on what the concept of power entails.[26] But that reticence is motivated, and Habermas sometimes writes as if Foucault simply refuses to appropriate the lessons which any good reader of Kant and Hegel and speech act theory should.

1.2 Part two: Reasons, causes, madness

At first blush there may be good reason for that condemnation. Foucault's reduction of truth and rationality, and his insistence on the articulation of power and knowledge, fall afoul of the presumption of rationality in terms of which we distinguish between actions and events, reasons and causes. Since I typically interpret an occurrence *as* action only by attributing beliefs and desires to the agent, which then constitute his *reasons*, failure to discriminate categorically between power and knowledge may appear as conflating events and actions. On this interpretation, we can make the requisite distinction only if we assume basic norms of rationality.

I think it is here that reference to psychoanalytic theory proves helpful.[27] In his argument against conceptions of the unconscious as a second mind, Jonathan Lear appeals to what he calls "motivated irrationality" as precisely that aspect of behavior which is left out of accounts emphasizing the necessary presumption of rationality.[28] According to one picture of how the unconscious determines behavior, one must assume that there are beliefs and desires which ultimately motivate the individual's action—since otherwise it would merely be a physical event causally determined in space and time—but add that the individual is simply not aware of these motives.

So when faced with inexplicable behavior, I must still attribute a motivational set to the agent which would be sufficient to render her action rational; but since she is not aware that these are her motives, I posit that there must be an unconscious space in which I can locate these reasons. They may be *bad* reasons relative to what one takes as normal, but they are nonetheless *reasons*. For in the absence of beliefs and desires which hang together to form a coherent motivational set, actions dissolve

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[26] *The Theory of Communicative Action*, in particular, presents the development of the formal analysis of the pragmatic presuppositions of communicative action through an incorporation of a social historical narrative. But this narrative both presupposes and is supposed to in part vindicate the normative superiority of the modern standpoint.

[27] This may appear questionable given Foucault's animosity toward psychoanalysis. But nothing in his critical remarks on psychoanalysis impugns the elements which I appropriate in this context. Moreover, his practice of historical criticism converges with some insights of psychoanalytic practice.

[28] The specific theory motivating Lear's argument is Davidson's distinction between events and actions. See, Lear (2005), pp. 30–43. I will modify Lear's account slightly in order to develop the argument I have pursued against Habermas's claims.

into events. But once we attribute the necessary minimum number of motives, we must multiply our attributions given the holistic nature of motivation on this standard account: the unconscious thereby becomes a second mind on its own, imbued with the power to determine the first.

As a result we get two sets of motivations, that which is conscious and that which is unconscious. The actions following from each set make sense individually, since we can understand each one as articulating a pattern of desires, beliefs, and intentions. Moreover, each set constitutes reasons, more or less rational, for each action. Therefore the presumption of rationality secures *the in principle* intelligibility of actions by removing irrationality one level up, in the relation between the conscious and the unconscious sets.

Two cases Lear analyzes, one from Freud and one from his own practice, are instructive in relation to what I want to say about the articulation of power and knowledge (Ibid., 27, 31). I take these to be two snapshots from the lives of these individuals not unlike the snapshots we find in Foucault's histories.

> [R] is walking along a road on which he knows his lady-friend will later be travelling in a carriage. He removes a stone from the road so that the carriage will not be damaged. A bit later he feels compelled to go back to replace the stone in the road.

So we have two actions: removing and replacing a stone. R himself is puzzled by their incongruence. But this puzzlement does not imply that he does not see himself as acting: he knows what he is doing and when pressed, he can offer justifications. According to the standard interpretation of what motivates actions, we will say that he has two sets of reasons, conscious and unconscious. He believes that the stone is a danger to the carriage and he wants to prevent that from happening (conscious); he also believes that his friend does not return his love and he wants to punish her (unconscious). And since the mental is holistic, his unconscious will soon contain an ever increasing number of motives: he believes that this is a good kind of punishment, that failure to return love demands punishment, etc.

By giving this interpretation, we thereby make each action fully explicable in relation to its appropriate motivational set, and what is irrational can be made intelligible as the way in which they do not fit together. But this can be understood as a case of *akrasia*, or going against one's better judgment. His unconscious motive to replace the stone is stronger than his conscious motive to remove it. Therefore his actions can be fully reconstructed as rational—even if some may consider his unconscious reason a bad one. R's reasons smoothly fit into a *propositional pattern*, but the only problem is that the unconscious one *lacks a name*.

However, when we contrast the above interpretation with the following case, we begin to notice that its assumptions are neither appropriate nor exhaustive.

> [An] unhappy couple where each partner has, over the years, built up many reasons to be angry at the other. But…in order to stay together each has devised a strategy of keeping the reasons for anger out of conscious awareness. Officially and sincerely, each is not angry with the other. But every now and

then a vengeful act slips out—though the partner who acts is not really aware of what he or she is doing.

The crucial difference between these two cases, which the presumption of rationality passes over, is that the couple, unlike R, *do have* an *articulated set of reasons* for being angry. But what they miss is indeed the *awareness* that they are angry. In their case it makes sense to attribute to them a motivational set that would exhibit a propositional pattern: they are *angry that*, but they lack the name for their reasons, and precisely by virtue of that they can simultaneously hold onto their anger *and* remain together as a couple.[29]

But R's actions cannot be assimilated to this conception. He does not understand why he does what he does because he does *not* yet have angry reasons, and not because he has articulated *unconscious* reasons. His action cannot be understood in terms of a propositional attitude: he is *angry at*, but not *angry that*. But this does not imply that his actions thereby become events, pure and simple. He still knows what he is doing and he may offer some rationalization to back up that knowledge. The presumption of rationality may demand that we reconstruct his reasons for him. And it may be that he will *sincerely* appropriate these reasons and come to see his actions as motivated by them.

But we thereby construct a false self for him: he comes to think of himself as having this or that unconscious desire and belief, and then go on articulating all the other unconscious reasons presupposed by these. But the false image of self he builds as a result preserves the image of his rationality only to condemn him to ever more intense repetitions of his irrationality. Against this picture, we must insist that R has neither conscious nor unconscious reasons *and yet* what he does is still an action. He is not consciously *or* unconsciously *angry that* his friend does not return his love, but he is nonetheless angry, and the anxiety consequent on his ambivalence frames his actions. The presumption of rationality covers up this situation *precisely because* it describes the action as more rational than it is. What is thereby occluded is R's motivated irrationality.

I claim that Habermas misrepresents practices just in this way, by reading more rationality into them than there is to be found. He insists, not unreasonably, that we situate the problematic, contested interactions in the space of reasons. Then the presupposition that we must all be committed to discursively justifying the norms governing our validity claims ensures that rational reconstruction of our reasons is possible in principle. Once that work is done, we may continue the process by explicitly evaluating what is so reconstructed: *there are reasons*—conscious or unconscious—and the cases where there is inexplicable behavior may be resolved by showing that they are a function of *inappropriate* or *bad* reasons. Critical reflection brings them to light, and hopefully we will *all* come to agree that they are bad reasons. And when we do not all see *that* in fact, the situation in which that *could* happen is built

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[29] Lear refers this to the "pre-conscious," which exhibits the same structure as consciousness but the motives are either not presently conscious or they are actively kept out of present consciousness. See ibid., pp. 27, 11.

into our doings and sayings in principle. Once good reasons are named in the process of argumentation, the anxiety generated by contested claims would disappear; just as R would cease (or should cease) to unconsciously hate when he comes to see that it is motivated by bad reasons.[30]

I should emphasize that I am not arguing from individual to social psychology by analogy; or rather, there is an analogy, but it is not based on putative similarities between individual and collective psyche. In fact, it is *precisely* the picture of action on the presumption of rationality which assumes that Foucault's invocations of power must imply a metasubject, just like its empirical counterpart but somehow pulling all the strings, while remaining invisible to conscious or reflective awareness. What I say above should make it clear that it is only on a *particular* interpretation of what motivation and action must look like, which is mistakenly supposed to be *universal*, that "power" is conceived as a metasubject. Contrary to that supposition, the analogy on which I base my argument is that, in the description and interpretation of both individual and social practices, the distinction between reasons and causes, and therefore that between actions and events, is neither categorial nor exhaustive.[31]

That Habermas's account implies a commitment to these categorial divisions is also evident in what Whitebook calls his "linguistifying" interpretation of psychoanalysis.[32] When Habermas conceives of repression as excommunication, which is an intralinguistic phenomenon, what he thereby elides is precisely what characterizes the specific power of the unconscious. By assimilating the unconscious to what Freud calls the preconscious, Habermas guarantees, in principle, that what is implicit can be made explicit and what is excluded from consciousness can be reflectively included in the process of communication. However, this has the consequence that "[the foreignness of the unconscious] is only relative and not absolute, for, despite the distortions, it remains essentially a linguistic domain. Communication between systems is, for Habermas, in principle at least, not a problem."[33] This domesticated sense of unconscious distortion does not reach the level of our problematic practices, where some force that is not of the order of language, as Habermas conceives it, is at work.[34]

Against Habermas's conception, the Foucaultian articulation of criterial practices provides a better matrix of intelligibility for the interpretation of our history and

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[30] This is, obviously, a simplified picture of actual therapeutic analysis and the possibilities for its (successfull) end. But it is precisely this kind of simplification which results from Habermas's particular interpretation of rationality.

[31] I think that Foucault's characterization of strategic action as "intentional but not subjective" (HS, p. 94) becomes clearer in the light of this.

[32] Whitebook (1996, p. 9). I am grateful to an anonymous referee for Continental Philosophy Review for bringing this book to my attention.

[33] Ibid., pp. 184–185.

[34] For an insightful development of this dimension of psychoanalytic theory, see ibid., chapters 4 and 5, especially the "frontier" status of the concept of sublimation. I think that the concept of "limit-experience" in Foucault is also such a frontier concept. In the present article, however, my central claim here is that the realization that the distinction between causes and reasons may not be categorial and exhaustive shows that Habermas's insistence on the contrary leads to one particular kind of misrecognition of our practices, and that psychoanalytic theory helps us to that realization.

the critical work on our actuality than the recourse to the normative assumptions of communicative action. Not unlike psychoanalytic interpretation, Foucault too starts from puzzling behaviors, contradictory statements, and incongruent actions.[35] We lock up criminals and the prison appears as the most natural place for their treatment; and yet we all know that prisons create more criminals than they reform. The mad are confined in *Hôpitals Généraux* in the seventeenth century; and yet there is nothing medical about the institution of confinement. The sick body, which is for a long time unintelligible for the observing eye, first becomes the site of an immediate articulation of what can be seen and said about disease, and then the hidden source of what is most intelligible about disease; we then look for the truth about life in the immobility of a corpse.[36]

We *could* insist, in the face of all this, that "the life-world is…the transcendental site where speaker and listener meet,"[37] in order then to refer all of our meaningful interactions to the forms of intersubjectivity of possible understanding. That is our prerogative. And it is not unreasonable to highlight the advantages which accrue to grounding the objective and social world on the process of argumentation in which we raise claims, criticize one another, and seek agreement. But inscribing all that in a quasi-transcendental framework to underwrite universality and necessity, though it may propitiate our epistemic and practical anxieties, ultimately misrecognizes the source of our conflicts and the potential for their resolution. It enables us to construct a false image of our society, and thereby rationalize our practices, but we continue to be locked in the repeated compulsion of social antagonisms. Referring the latter to the result of merely external forces through a distinction between what *conditions* in fact and what *regulates* in principle is not a work of shedding light but of occlusion.

Enlightenment of good reasons becomes blackmail if we are forced to choose between the de jure validity of communication free from distortion and the de facto entanglements in power relations.[38] That is a false dilemma, and the two kinds of practices should be grasped in their reciprocal implication. When Foucault refers to practice as the place "where what is said and what is done, rules imposed and

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[35] Some of Foucault's claims which appear to characterize the historical a priori as unconscious, most clearly in the Preface to *OT*, are perhaps more intelligible in light of this than by reference to Bachelard's psychoanalysis of the natural sciences.

[36] For Foucault's discussion of these cases, see: DP passim., especially p. 293 ff; HM, for intance, p. 49 and 112; BC. It should be noted that the Foucaultian examples I mention are not of the order of individual action and social agency, but this does not impugn the argument against Habermas: what is still called in question is one conception of rationality said to govern cognition and normativity. It does mean, however, that Foucault's own work, which tends to deal with more 'macro' or 'structural' levels, needs to be developed to make intelligible how norms emerge and gain their hold at more 'micro' levels between and within individuals.

[37] *TCA* 2, p. 126, which continues: "…where they can reciprocally raise claims that their utterances fit the world (objective, social, or subjective), and where they can critize and confirm those validity claims….In a sentence: participants cannot assume *in actu* the same distance in relation to language and culture as in relation to the totality of facts, norms, or experiences concerning which mutual understanding is possible."

[38] For "the blackmail of the Enlightenment", see FR, p. 312.

reasons given, the planned and the taken for granted meet and interconnect," (EW, 3:225) what appears at first blush as a confused amalgamation becomes intelligible in contrast with the life-world as the transcendental place safeguarding subjects' reciprocal recognition. It is in fact not possible to fully articulate conceptually the relation of mutual implication which holds between power and knowledge. That impossibility, however, is located not in a transcendental necessity but in the very movement Foucault traces in his histories. We *could* study the space of reasons in abstraction from the space of confinement; nothing *in principle* prevents it. But we thereby misrecognize our history and actuality.

The force of Habermas's criticisms results from his insistence that the transcendental standpoint must have primacy over the empirical one *by right*. Hence the necessarily oblique nature of the responses one can advance: I cannot place myself outside the space of reasons without thereby impugning my rights, since every right presupposes that one is always already placed inside reason's space. From this perspective, the space of confinement Foucault describes, say, in the *History of Madness*, can only appear as a self-defeating criticism of reason in the name of a better reason. And since the figure of that "better reason," in Foucault's story, appears as *madness itself*, beyond the confining work of reason, Foucault's refusal to offer explicit justification for the standpoint from which *that* history can be written necessarily appears as either naivety or willful rebellion.

That necessity is what motivates the insistence of Habermas. Against this perspective, however, it must be insisted that Foucault's refusal is also motivated: the history of madness is simultaneously the history of reason. Therefore, if the *genesis* of the space of reasons is inextricably bound up with the spaces of confinement, the history of that genesis cannot be written from the transcendental standpoint alone. The genitive in "history of madness" should be understood both subjectively and objectively. But the subjective sense refers not to madness itself which would finally speak its essential truth, but rather to the flipside of *the limits criterial for our own space of reasons*, and thereby to the way in which the force of reasons cannot be abstracted from our social sanctions. If the description of that entanglement necessarily appears as both subjective and objective, that necessity is inscribed not in eidetic or transcendental structures but is the result of historically situated antagonistic relations. Therefore, Foucault's articulation of experience as the matrix of context-bound, but no less constitutive, rules of formation is more attuned to the *historical singularity* of events and the *critical interrogation* of their conditions of emergence. But Foucault's histories and theoretical formulations lack a more fine-grained account of how reasons and causes, norms and sanctions, are imbricated on one another. I think that one significant source for the development of such an account is the theory and practice of psychoanalysis.

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