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William Rehg, "Commentary on Phillips" (May 17, 2001). *OSSA Conference Archive*. Paper 88.
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In Response to: Kendall Phillips' *Divided by Enlightenment*

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In his discussion of Habermas, Foucault, and rhetoric, Kendall Phillips aims to reconstruct a debate between Jürgen Habermas and Michel Foucault that never materialized. The debate was to take Kant's essay "What Is Enlightenment?" as its point of departure. Given this starting point, one would expect the debate to turn on differing conceptions of public reason and the public sphere. Phillips, however, identifies the notion of comprehensibility as the deeper point at issue. Whereas Habermas predicates his discourse theory—and consequently, his normative model of undistorted communication in the public sphere—on the assumption of mutual comprehensibility among participants, Foucault's "ontology of the present" aims to upset just this assumption. Behind Foucault's strategy lies the belief that enlightenment constitutes a never-completed process calling for ongoing, modest experiments in transgression that push the boundaries of established modes of thought and action. Habermas's normative model, by contrast, suggests the possibility of completion—an "enlightened age" that would be secured through a properly structured and comprehensible public sphere. Phillips then goes on, finally, to propose rhetoric as the area in which one might find a way to mediate these two opposed conceptions.

Although I find Phillips' general characterizations of Habermas and Foucault plausible enough and am intrigued by his allusions to rhetoric, I'm not sure how much I agree with his diagnosis. At the least, I would want to make some modifications in his analysis. I do not deny that mutual comprehensibility is a potentially difficult matter that Habermas moves past rather quickly in his urge to elaborate norms of public justification. Indeed, he no longer treats comprehensibility as a validity claim on a par with truth, rightness, and the like, but has demoted it to a "presupposition of communication" or idealization that language-users suppose is adequately satisfied when they engage in communicative action (Habermas 1984, 310; 1996, 11-12). Moreover, although I am much less familiar with Foucault, Phillips's reading strikes me as plausible: Foucault links his critique of modern rationalization with the interrogation of the coercive structures that arise with sense-making itself (Foucault 1996, 389f). On this view, the comprehensible is precisely what we should not take for granted.

Nonetheless, for purposes of diagnosing the debate, my initial inclination is to begin by examining the differing *practices of social critique* we find in the two thinkers. Here it helps to distinguish between the standpoint of the critical theorist *of* the public sphere and that of the participant *in* the public sphere. I begin with the theorist's position, though we shall soon see that this standpoint is closely related to that of participants.

Habermas and Foucault are both theorists providing us with two different approaches to critical analysis, which more or less map onto Foucault's distinction between a formal or analytic method of critique—the search for "formal structures of universal value," as we find in Kant—and his own historical ontology of the present, which by the way Foucault also finds in Kant (Foucault 1984, 46; cf. 1994). As critical theorists, however, Foucault and Habermas must confront the problematic issue of the position and status of the critical theorist: at least since Karl Marx, critical theorists have generally attempted to account for the grounds and possibility of their critique, and they have gotten into trouble precisely when they fail at this task. Foucault in

particular has been criticized by a number of social theorists for failing to articulate the normative standpoint for his critique (e.g., McCarthy 1994). Whether this criticism is fair to Foucault or not (cf. Schmidt and Wartenberg 1994), it illuminates what Habermas is up to when he attends to the normative bases of critique: he hopes thereby to discharge this burden on the critical theorist. His attempts to formulate such idealizations as the “ideal speech situation” or the “unavoidable pragmatic presuppositions of argumentation in general” lie at the heart of his efforts to ground, and explain the possibility of, his own standpoint as critical theorist. For such idealizations undergird or explain the idea of a reasonable or undistorted public sphere, one in which communication and discourse are carried out in such a way as to provide the resources for a genuinely *legitimate* democratic politics. Consequently, criticisms of public unreason are possible from the perspective of—they can appeal to—such idealizations, though these do not provide unshakeable foundations for critique (here Habermas disagrees with Karl-Otto Apel; Habermas 1990, 80-86, 95f).

Herein lies a key difference between Foucault and Habermas. Foucault is suspicious of just such claims about universal structures of public reason. As Phillips construes the issue, Habermas’s appeal to formal idealizations seem to suggest the idea of a public sphere that could actually *be* reasonable, thus an actually “enlightened age.” Indeed, Foucault seems to have read Habermas as proposing a kind of utopia of “perfectly transparent communication” (see McCarthy 1994, 265). But Habermas does not intend such a reading, and to avoid it he has dropped his earlier term “ideal speech situation” (see Habermas 1999, 288f). His formal idealizations are, rather, an attempt to spell out what we *mean* by “reasonable” public discussion as an ongoing process. As idealizations, however, these do not, and could not, describe any *empirically achievable* public discussion. Thus for Habermas, too, the public sphere can at most reflect the process of enlightenment, not its achievement.

That said, Foucault’s suspicions still have a valid point—indeed they warn against an all-too-easy familiarity with the *meaning* of “reasonable.” But in the context of a Foucault-Habermas debate, it is important to see exactly how such suspicions properly come into play. Although Habermas does not consider discursive idealizations to be fully realizable, he also holds that actual discussions can sometimes “approximate” the kind of reasonableness spelled out in these idealizations (Habermas 1993, 48-54; 1999, 296f). More precisely: a well-conducted actual discourse can, at its best, warrant a *provisional presumption* that we’ve sufficiently approximated a reasonable discussion. Just as we can take a chalk circle as a sufficiently good approximation of an ideal circle, so we can gain the sense that our discussion has indeed been reasonable, so far as we can tell, even though full reasonability is an unachievable idealization (cf. Habermas, 1993, 54f).

Just this situation, however, poses the danger to which Foucault was so keenly attuned: a public that takes itself to be reasonable enough for present purposes (i.e., approximately reasonable), and thus takes itself to sufficiently comprehend its internal structures as legitimate and legitimating—thus to take itself as “enlightened”—though it in fact is still on the way to enlightenment. Precisely because normative idealizations cannot be realized as such, even the best of public discussions contains elements of the ad hoc and contingent. That is, we cannot, strictly speaking, treat each participant symmetrically, we cannot give equal attention to each person’s arguments, we cannot weigh arguments in an utterly bias-free manner. Nor can any formal institutional procedure ensure that we do, for such procedures must always be applied in the face of circumstantial contingencies that can never be fully anticipated in advance.

Consequently, it is precisely in those situations in which a public congratulates itself on its reasonableness, precisely when a group comprehends its discussion as sufficiently approximating norms of public reason, that Foucault's critical question makes the most sense: "in what is given to us as universal, necessary, obligatory, what place is occupied by whatever is singular, contingent, and the product of arbitrary constraints?" (Foucault 1984, 45).

Notice that, having begun with the theorist's position, we now find ourselves dealing with the standpoint of engaged participants in the public sphere, who strive to meet the norms of public reason articulated by the theorist. The two positions are in fact closely related: after all, Habermas's normative-theoretical analysis of the public sphere attempts to articulate the normative ideas that guide participants in actual discussions. The dangerous presumption that I have just described—that is, the danger of a public of participants taking their discussions as reasonable and forgetting the mix of contingencies and biases that still remain—has *in effect* been licensed by the normative theory. I say "in effect" because Habermas can of course protest that the very notion of an idealization should alert us to the fact that shortcomings always inhabit our most attentive and well-conducted discussions. But perhaps we need more than such cautionary provisos, both at the theoretical and participant levels. If so, then Foucault might provide the kind of theoretical corrective, which points in turn to the sorts of practical experiments in transgression he called for among participants.

In light of the foregoing analysis, Phillips' remarks on rhetoric as the area in which we might mediate the opposition between Foucault and Habermas seems on target. Certainly comprehensibility plays some role in this task, and if we examine the kind of rhetorical theory that might help us address the opposition between Foucault and Habermas, we can pinpoint this role. To close then, I make a brief suggestion of the focus such a rhetorical analysis must take.

Although, as Phillips notes, neither thinker has embraced rhetoric, attempts have been made to elaborate a rhetoric that would be compatible with each thinker's critical philosophy (McKerrow 1989; Rehg 1997; Bohman 1988; 1997). Rather than dig into these different proposals I will merely suggest that, if our concern is with the critique of the public sphere and democratic politics, then rhetorical analysis informed by both Foucault and Habermas must look above all to the diverse ways in which rhetoric affects the participants' *shared sense of closure of discussion*. That is, the rhetorical analysis should examine, on the one hand, the various devices speakers employ to assure their audiences that a given topic has been sufficiently discussed for us all to agree that the speaker's solution is in fact the "reasonable" one, the solution that has gained "the consensus" of anyone who counts as "competent." Such constructions of consensus typically go hand-in-hand with the dismissal of remaining objections as unreasonable and uninformed. On the other hand, rhetorical analysis should also attend to the ways in which opponents attempt to keep an issue open, or to open up for discussion a topic that has previously been off the agenda—in a word, the rhetorics of social-political criticism.

Here I think that the notion of comprehensibility does play a key role, though not the only role. We would expect speakers who aim at closure (even if this closure is only provisional, for a particular point in time and in view of a pressure to decide a political question) to emphasize the clarity of the matter and the arguments in favor of the preferred solution. Moreover, we would expect them to invoke the hallmarks of rational discussion as unproblematic ideals that have been more or less satisfied. Such speakers might claim, for example, that the discussion has been "open" and "unrestricted," that every point of view has been given an "equal" and "impartial" hearing, and so on—as though these ideals and their application were readily

comprehensible. Conversely, it is just such assumptions of comprehensibility and fulfillment that the rhetorics of criticism would aim to upset. However, I am not sure that comprehensibility should form the main or sole focus of such analysis. Other devices are also available on both sides of such a discourse of closure and its contestation: for example, the Aristotelian means of persuasion could, I suspect, be employed both to hasten closure and to impede it.

At the end of the day, however, it remains unclear, at least to me, whether Foucault's approach has the resources to address the further question that such rhetorical analyses seem to leave answered: at the point of political choice, how do participants (or decision makers) sort through the opposing rhetorics of closure and criticism and determine which side has the better arguments? To answer this question, it seems to me, we cannot do without a more robust normative analysis of the sort that Habermas hopes to provide.

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