

The Foucault-Habermas Debate: The Reflexive and Receptive Aspects of Critique¹

Eivind Hansen

Our knowledge springs from two main sources in the mind, the first of which is the faculty or power of receiving representations (receptivity for impressions); the second is the power of knowing objects by means of these representations (spontaneity of concepts).
— Immanuel Kant

I.

In the field of critical philosophy, the view of Michel Foucault has been subject to very extensive discussion. It has been an ongoing puzzle-ment how he could reject any talk about ahistorical universals and at the same time claim philosophy – at least in its genealogic form – to be of critical importance. How could he claim any analysis to have only local significance, and at the same time take the view that some analyses can show other views to be problematic? According to what standards?

A common strategy against Foucault has been to state that he is not as neutral as he claims to be – that underneath his analysis of, say, prisons (*Discipline and Punish* – 1975) or sexuality (*The History of Sexuality* 1-3 – 1976/1984) there is a hidden universal normativity that shapes his critique of these fields. This is Charles Taylor's objection against Foucault.² However, W.E. Connolly has convincingly shown that this in one sense is a failed objection: Foucault does not deny the necessity of normativity.

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2. Charles Taylor, "Foucault on Freedom and Truth," in *Philosophy and the Human Sciences – Philosophical Papers 2* (Cambridge: Cambridge University Press, 1985).

Sometimes he even admits (under some pressure, that is) that *perhaps* it could be possible to show some norms to be of universal validity (or at least of *permanent* validity. As Foucault put it, "...that it is perhaps a critical idea to maintain at all times"³). But the question is whether this kind of investigation would be a very fruitful undertaking. Here Foucault's answer would be no – or at least he would say that it is not the kind of investigation *he* wants to perform. One reason for this reservation is that the narrative entailed by this investigation would hide another very important aspect of praxis: the otherness-aspect.⁴ Unfortunately Taylor does not take up this challenge.

Another approach to the seemingly paradoxical claim by Foucault has been to deny the critical aspect of his work. This has been Jürgen Habermas' strategy – most thoroughly carried out in *The Philosophical Discourse of Modernity* (1985). Habermas claims that Foucault's "felicitous positivism" (trying to free our understanding from the subjective perspective)⁵ ends up in an "unholy subjectivism," in which no critique is possible. Habermas' argument is in brief as follows:⁶ Foucault's alleged positivism consists of three reductions. First, the participant's interpretation of meaning in a discourse is ignored. This leads Foucault to *presentism*, because eliminating the interpreting and acting subject means that it becomes incomprehensible how to transcend the actual situation (the possibility of an acting agent, having good reasons for transcendence is eliminated). Secondly, validity-claims are reduced to effects of power. This leads to *relativism*: eliminating the validity-aspect, just describing various formations as actual power-formations makes it impossible to talk about these formations as either good, bad, adequate, fruitful, etc. – hence the descriptions are always just to be understood relative to the particular field of discourse. Thirdly, normative aspects are reduced to (a naturalistic conception of) mere being. But Foucault does not, according to Habermas, succeed in the claimed non-normativity, so he consequently ends in

3. Michel Foucault, "Politics and Ethics: An Interview" (1984) in Paul Rabinow, ed., *The Foucault Reader* (London: Penguin Books, 1991), p. 379.

4. W.E. Connolly, "Taylor, Foucault, and Otherness," in *Political Theory* 13 (1985), pp. 372-374. See Taylor's answer in Charles Taylor, "Connolly, Foucault, and Truth" in *ibid.*, pp. 377-85.

5. Cf. Michel Foucault, *The Archaeology of Knowledge* (1969), tr. by A.M. Sheridan Smith (New York: Pantheon, 1972), p. 125; Michel Foucault, *The Order of Discourse* (1970), tr. by A.M. Sheridan Smith (New York: Pantheon, 1972), p. 324.

6. Jürgen Habermas, *The Philosophical Discourse of Modernity*, tr. by Frederick Lawrence (Cambridge, MA: MIT Press, 1987), pp. 276-86.

a *cryptonormativism* – his critique is founded in a normativity that is hidden. Due to this normative fundament, it is always partial. As a consequence of this, Foucault cannot tell why the new understanding (the result of the critique) should be any better than the old (the object of critique).

Due to these three objections, Habermas claims that Foucault ends in an unholy subjectivism, because these three points together make it difficult to describe how formations are possible. What is it that connects various kinds of being? According to Habermas, Foucault has to compensate for this insufficiency, and it is done through an “inflation of the psychic.”⁷ This means that history is merely reflected in relation to whether it represents an increase or decrease in subjective freedom (in a very individual-psychologic interpretation) – and (still according to Habermas’ interpretation of Foucault) often society moves towards a decrease in such freedom. Given this predisposition of society to reduce freedom, we should be on guard against social formations as such.

Habermas’ point is that Foucault thereby fails to see that social formations also are necessary to *ensure* subjective freedom; that critique (as an effect of freedom) in a very important sense is dependent on intersubjectivity; that all critique (insofar as it is argumentative) has to rest on the transcendental conditions for communicative action.

Habermas does indeed have a point as to the last part of the argument: Foucault’s notion of the other and the social is rather inarticulate.⁸ But the following will describe a notion of critique that demonstrates that it nevertheless *does* make sense to attribute a critical approach to the Foucaultian writings. Foucault’s critical approach has certain difficulties, but at the same time has certain qualities that can broaden the more traditional account of critique than can be extracted from, for example, Habermas’ writings. It will first be necessary to show that it is possible for Foucault to maintain a concept of critique, without having to commit himself on universals. In Foucault’s writings, critique is understood as reality resisting a conceptual grip – critique is a pointing out of a resistance against or response to the understanding activity. Critique is, in other words, understood as something that is *put upon us*. It will be subsequently shown that

7. *Ibid.*, p. 288.

8. Even though it is not as bad as Habermas takes it, see S. Thompson, “The Agony and the Ecstasy: Foucault, Habermas and the Problem of Recognition” in Saman-
tha Ashenden & David Owen, eds., *Foucault contra Habermas: Recasting the Dialogue between Genealogy and Critical Theory* (London: SAGE Publications Ltd, 1999), pp. 199-200.

Habermas’ opposition to Foucault’s position springs from a focus on critique as an activity between *acting* agents. This view is seen in his emphasis on communicative *actions* and validity *claims* and in his hesitance towards “natural” reality in discursive matters. Yet this hesitance is more an effect than a cause of his basic notion of critique: his latest change in view on reality has not brought a similar change in the concept of critique. Ultimately, Foucault and Habermas are both important in illuminating the notion of critique – they complement, rather than exclude, each other.

Of course, both thinkers *actually* have contributed with very significant critical investigations throughout most of their writings. The following is not a judgment on their critiques but an evaluation of their *conceptions* of critique: in what sense do they *explicate* a helpful conception of critique that can illuminate their own work? Are these conceptions adequate as general conceptions of critique?

II.

The overall intuition on which this comparison of Foucault and Habermas is premised is the presence of some kind of reality. It is true that – in the postmetaphysical era – reality can be approached through quite differing normative relativizations. Yet every normative relativization claims to be directed towards some kind of reality. This is a point where disputants can meet despite their normative differences: normative relativizations focus on certain aspects of reality – at the cost of others. It is therefore possible to discuss in what sense different normative relativizations are capable of accounting for all relevant aspects of reality. Of course, it is not for certain that this is a strategy that leads to a final consensus, since the normative relativizations may be immunized against critique in various ways (e.g., by referring to realities that are not accessible to the critic). But it is always possible to relate to “foreign” normative outlooks by assessing whether it is able to account in a coherent way for relevant aspects of reality.⁹

Foucault is – among others – a philosopher who demonstrates this point. This is especially clear in his early writings, but it can be found in later writings too, especially those talking about the critical implications of his view. This is of significance for my present purpose, because, as I will show, it shapes his concept of critique in a rather receptive direction.

It is never made more clear than in his most methodological work –

9. Relevance and coherence are certainly themselves possible objects for critical discussion, but such discussion cannot happen independently of norms of relevance and coherence themselves.

The Archaeology of Knowledge (1969). In this book Foucault wants to reintroduce the attention of the interruptions that appear "[b]eneath the great continuities of thought" – because these interruptions are of founding importance for those narratives. The fundamental intuitive drive behind the book becomes clear when he asserts that "... ever more levels of analysis have been established: each has its own peculiar discontinuities, each entails its own peculiar cutting."¹⁰

The awareness of interruptions in history is important because analysis and conceptualization inevitably have a deficit in relation to their content. Even though each field of analysis on the one hand is founded on ruptures, on the other hand they are disguised in order to tell a story with inner coherence (in order to make sense). The task of the philosopher (archaeologist) is to uncover (or to stay in the archaeological terminology: unearth) the limits of the given patterns of analysis, in order to show what is lost – what ruptures have been hidden.

How can one explain that conceptual analysis inevitably has a deficit? Here Foucault becomes a little cryptic, but the overall intuition is clear. He tries to hint at it through several negative statements. For example he states that an object is not adequately described through its emergence, delimitation and specification and that discursive relations are not *inter-nal* to discourse.¹¹ The following passage is the clearest statement on the issue: "... the signifying structure of language always refers back to something else; objects are designated by it; meaning is intended by it."¹²

In this passage it becomes clear that Foucault is trying to articulate the realistic intuition sketched out above: in any description or analysis there is a tension that is founded on the external orientation of knowledge and language. This is the tension between an active effort to "get a grasp" and a "something" that is sought and grasped – hence subjected to conceptualization. The reason why for Foucault's cryptic mode of expression

10. Foucault, *Archaeology of Knowledge*, *op. cit.*, p. 3. Other characteristic methodological claims are present throughout the book: "It is based on the principle that *everything* is never said [...] statements (however numerous they may be) are always in deficit [...]. We are studying statements at the limit that separates them from what is not said" (pp. 118-9). "We must grasp the statement in the exact specificity of its occurrence [...], and show what other forms of statements it excludes" (p. 28). "However, it is not possible to describe all the relations that may emerge in this way without some guide-lines. A provisional division must be adopted as an initial approximation [...]. But this is only a provisional privilege [...]. The division of this field itself cannot be regarded either as definitive or as absolutely valid," (pp. 29-30).

11. *Ibid.*, pp. 42, 46.

12. *Ibid.*, p. 111.

becomes clear in the following passage: "What, in short, we wish to do is to dispense with 'things.' To 'de-presentify' them. To conjure up their rich, heavy, immediate plenitude [...]. To substitute for the enigmatic treasure of 'things' anterior to discourse, the regular formation of objects that emerge only in discourse. [...]. However, to suppress the stage of 'things themselves' is not necessarily to return to the linguistic analysis of meaning. [...] from the kind of analysis that I have undertaken, *words* are as deliberately absent as *things* themselves."¹³

Here it becomes clear that Foucault finds it important to dissociate from any talk about the real as something *pre-discursive*.¹⁴ There is no "thing-in-itself", a reality that exists *before* the discursive understanding of metaphysical realism. The real is a result of discourse, but discourse in the heterogeneous, tensed understanding, that is. The real is defined as "that which is subjected to discursive 'treatment.'" So there is no relation to reality outside the discourse, but there is no discourse without an external relation either: "Words" and "Things" are interdependent.

It is true that Foucault does not talk much about critique in *The Archaeology of Knowledge*, and when he occasionally does, it is often in negative terms. But the link between critique and the limiting otherness is made very clear in his following book – *The Order of Discourse* (1970). In the discussion of Foucault's critical approach it is often stated that it was only due to the Habermasian objections that Foucault realized that critique was an issue of importance.¹⁵ But this objection overlooks that critique was already an issue in this lecture, dealt with on equal footing with genealogy: Following these principles, and referring to this overall view, we can analyze two distinct groups: the "critical" group which tries to distinguish the forms of exclusion, limitation and appropriation of which I was speaking earlier and the "genealogical" group.¹⁶

So: critique means the revealing of those limits that inherit the discursive formations, and these limits are to be understood in a realistic manner. The source of critique is the fact that limitations have been posed on "something", and this "something" to some extent *resists* these limitations.

13. *Ibid.*, pp. 47-48.

14. *Ibid.*, pp. 47, 76, 98-99.

15. An example of this is found in T. McCarthy, "The Critique of Impure Reason: Foucault and the Frankfurt School" (1990) in Michael Kelly, ed. *Critique and Power – Reconstructing the Foucault/Habermas Debate* (Cambridge Mass. London: MIT Press, 1994), pp. 259-62.

16. Foucault, *The Order of Discourse*, *op. cit.*, p. 231. The translation has been slightly modified.

Critique means revealing which aspects of "the otherness" are disguised. This is an approach that is just as important as the genealogical analysis. In fact they are complementary: on the one hand, genealogy reveals how power (at this time, a new term in the Foucaultian thought) actually is effectuated in discursive formations (understanding the affirmative aspect of power). Critique on the other hand reveals how these formations are limiting, excluding and rarefying. Genealogy and critique together show both aspects of power – the affirmative and the rarefying.

At this point it is important to notice what is, according to Foucault, the source of critique: the source of critique is not primarily the reflexive agent. According to Foucault, reflexion (or at least *discursive* reflexion) has some drawbacks in relation to critique, because it is more oriented toward showing continuity, connection and stability. It is not his point that critique can function *without* reflexivity. But his point is that it is a very important aspect of critique to evaluate the evaluation, i.e., evaluate the limitations that are necessary in order to reflect. An important aspect of critique is to "be open" towards the complexity of reality, to try to "turn off the computer" and let reality shine through the reflexive blinders. To open-up towards the *complexity* of the world, rather than trying to see the world as *unified*. Perhaps such "receptivity" also has to be an activity, but certainly of a special kind: not re-flect (which etymologically indicates a *bending-back*), but to re-ceive (*taking-in*). This receptivity is valuable in a reflexive (critical) revision of the prevailing reflexive attitude.

Some commentators have objected against Habermas' critique of Foucault, that it is more appropriate for the early Foucault than for the later. Habermas is said not to have taken the development of Foucault's writings after *Discipline and Punish* (1975) into account.¹⁷ Whether this is a fair critique of Habermas is not of great importance in this context, but there is surely a shift in Foucault's approach around the mid-1970s. It is therefore relevant to demonstrate that the point that the early Foucault could have against the Habermasian critique remains an issue for the later Foucault.

It would be preposterous to claim that Foucault in the years between *The Order of Discourse* and his late critical writings was paying equal attention to both genealogy and critique. At least in terms of explicit references, genealogy seems to be much more his focus than critique. However this is not due to any methodological devaluation of critique – the critical *implications* of his work in these years are difficult to overlook. The focus

17. See Michael Kelly, "Foucault, Habermas, and the Self-Referentiality" in Kelly, ed. *Critique and Power*, *op. cit.*, pp. 367-8.

on genealogy is rather due to the fact that the genealogical part was much more questionable – and therefore needed much more explication: given Foucault's great emphasis on power as the fundamental phenomenon, it becomes very important to stress that power (contrary to standard understanding) in his approach is not to be understood as repression or blind destruction. Power is not *only* repressive but has also a creative moment.

This is perfectly clear in the two lectures that Foucault gave in January 1976 at Collège de France.¹⁸ He once again reveals how he sees the relationships among archaeology, genealogy and critique. He makes the important point that the validity of critique is always locally founded and of local quality. The search for a universal foundation for critique is therefore in vain – i.e., a critique is only valid as long as the validity of the local horizon which it is built upon, is accepted; and this latter validity is never given in advance. This of course means that we should give up searching for a universality, understood as "always, under any circumstance," and rather talk about generality, understood as "always, under some specific circumstances."

This is the source of Habermas' presentism-objection: if critique cannot reach across its own boundaries, it does not make sense at all: a critique that is bounded by the very same objects (the present, the local conditions) that it seeks to criticize does not make sense, because the object that is criticized remains at the same time certified. In order for Foucault to preserve a reasonable concept of critique, he must somehow point out how it is possible to *transgress* the context, even though it is not possible to *transcend* it.¹⁹ In other words: it must be explained how "local" does not equal "present."

The first point is that Foucault himself sees this local character of critique as a *radicalization* of critique – not as a withdrawal: because critique is not obliged to be in accordance with the general (public) opinion, it is possible for it to question to a much wider degree. The argument seems to be that even though both the foundation and the validity are of local character, it does not follow that it has to be the *same* locality that is both foundational and the object of critique. This is a very decisive point

18. These represent a summation of his work since his arrival at Collège de France, i.e., since the inaugural lecture *The Order of Discourse*. Cf. Michel Foucault, "Cours du 7 et 17 janvier 1976" (1976), in Kelly, ed. *Critique and Power*, *op. cit.*, p. 17.

19. For this distinction, see J. Tully, "To Think and Act Differently: Foucault's Four Reciprocal Objections to Habermas' Theory" in Ashenden and Owen, eds., *Foucault contra Habermas*, *op. cit.*, p. 99.

to make; it can serve to clear away some of the impasses of the debate between Habermas and Foucault, as well as the correlatives between Habermas-scholars and Foucault-scholars. It does not follow from the embeddedness of a critique in a local horizon that it cannot have critical implications that extend this horizon. Every local horizon claims to relate to the world, hence they are also affected by another horizon that provides a more appropriate²⁰ understanding of the world. When agents from severely differing horizons enter into discussion, criticism can nevertheless be advanced by demonstrating that there are certain aspects of the world that have not been taken into account. It is true that given the differing normative outlooks, such objections may be avoided by either demonstrating that these aspects *are* (or could be) taken into account – only in a different way than the critic would expect – or by claiming that this blindness is necessary in order to be able to account for aspects of reality that are more important and relevant. But in the latter case, the initial critic has still had some success: a limitation in the criticized approach has been demonstrated which shows that there are limits to how well it is able to account for worldly affairs.

This kind of critique is possible because both disputants direct their claims towards worldly affairs (in a very broad sense: worldly affairs may be objective, subjective and social, as discussed below). Even though normative horizons are local in foundation, the reach of the claims that are posed inside these horizons are not merely local. They point towards a world that is shared with other agents who do not necessarily share the local horizon; local horizons transgress merely present conditions. This is the point that makes critique between differing horizons possible. Certainly, disputants may understand the world differently, but they nonetheless presuppose that the other disputant, at least in some weak sense, also is part of the world. Unless it is presupposed that all the aspects of the world that the critic can relate to are irrelevant in relation to the view avowed by the addressee, the critic can take this as the starting point, without presupposing one robust universal starting point.

Foucault's point is that universals tends to block critique. The most obvious example of this is the universal values, defining "when an argument is worth taking seriously." Iris M. Young has convincingly shown²¹

20. Certainly, "appropriateness" can vary with different horizons, hence it is sometimes possible to *explain* away the problems. But (1) not always, (2) sometimes it at least will be so troublesome, that a change in horizon will seem more attractive and (3) even if one chooses this short cut, this will in itself show an influence across horizons.

21. In I.M. Young, "Activist Challenges to Deliberative Democracy" in *Political Theory* 29, 2001, pp. 670-690.

how for example the ideal of consensus in a deliberative democracy can be used to block an argument, questioning the very ideal of consensus, because the critic can be seen as breaking the rules of "good argumentation". When taking some claims to be universally valid, in cases of conflict only revision of the non-universal part is taken to be a possibility – because the validity of the universal value as a mere reflex is never questioned.²²

So it *does* make sense to criticize other local approaches to the world. But it is also clear that such a critique only can take form as an argument such as the following, "As I see it, *your* conception of the world is wrong, because X. How can you respond to that?" The critique has to be dialogic.²³ It is true that it *can* reach an impasse, if both horizons prove to describe reality equally well; if they prove to be good with regard to different aspects; or if one or both of them end up with arguments that are immunized against objections (for example, by pointing to invisible phenomena). But this does not mean that critique is impotent in total. It just means that we cannot always reach a final agreement. On this point, both Habermas and Foucault would agree.

In the last years of his life, Foucault on several occasions related to the question of Enlightenment – often through a reading of Kant's *What is Enlightenment?* of 1784.²⁴ Foucault emphasizes the critical ethos of this

22. As mentioned in the introduction, Foucault later admits that it probably would be possible to argue that some values have permanent validity, but still he tries to downgrade the significance of this. Michel Foucault, "Politics and Ethics: An Interview" (1984) in Rabinow, ed., *The Foucault Reader*, *op. cit.*, pp. 378-80.

23. This is the reason why the strategy pursued by some defenders of Foucault against Habermas is sterile: they seem to assert that Foucault is not obliged to answer to the objections, because his aim is not the same as the aim of Habermas. Whereas Habermas treats juridical power, Foucault talks about disciplinary power (Kelly, *op. cit.*, pp. 374-6); whereas the aim of Foucault's critique is "to loosen the grip of a picture which currently holds us captive," the aim of Habermas' critique is to keep us to the normativity that communicative action entails (Ashenden and Owen, "Introduction: Foucault, Habermas and the Politics of Critique" in Ashenden and Owen, eds., *Foucault contra Habermas*, *op. cit.*, p. 11); whereas the aim of Habermas is to reveal "ideological captivity," the aim of Foucault is to reveal "aspectival captivity" (D. Owen, "Criticism and Captivity: On Genealogy and Critical Theory" in *European Journal of Philosophy* 10:2, 2002, pp. 216-30). This is of course all true, but then it remains to be shown, what the relationship between these approaches is: in what way one is "better" than the other; how they supplement each other; how it makes sense to label both approaches "critique," etc.

24. These reflections can be found in Michel Foucault, "What is Critique?" (1978), tr. by K.P. Geiman in James Schmidt, ed., *What is Enlightenment?* (Berkeley and Los Angeles: University of California Press, 1996), pp. 382-98; "Critical Theory/Intellectual History" (1983), tr. by A. Sheridan et al. in M. Kelly, ed. *Critique and Power*, *op. cit.*, pp. 109-38; "The Art of Telling the Truth" (1983), tr. by A. Sheridan et al. in M. Kelly, ed., *Critique and Power*, *op. cit.*, pp. 139-48; "What is Enlightenment" (1984), tr. by P. Rabinow in Rabinow, ed., *The Foucault Reader*, *op. cit.*, p. 379.

approach – especially the critical attitude toward the present.²⁵ Still, the overall theme is that critique is about limitations: limitations in our concept of being governed, limitations in our conception of what knowledge (*comnaissance*) is,²⁶ the limiting constraints that are posed through the actual constellation of knowledge (*savoir*), power and ethics (the objective, intersubjective and subjective axes).²⁷ Foucault points out the most important limiting factor: “But if we are not to settle for the affirmation or the empty dream of freedom, it seems to me that this historico-critical attitude must also be an experimental one. I mean that this work done at the limits of ourselves must, on the one hand, open up a realm of historical inquiry and, on the other, put itself to the test of reality and actuality, both to grasp the points where change is possible and desirable, and to determine the precise form this change should take.”²⁸

In order to talk about critique, it is necessary to talk about freedom in one sense or another: critique presupposes that one is not totally bound by the given – you must be able to transgress the context (in one sense or another). But just as important: critique does not make sense in “the empty dream of freedom.” Critique only makes sense, if one can distinguish between the resulting changes in praxis (the *realized* consequences of the critique) as either “good” or “bad.”²⁹ Thus, critique is put to “the test of reality” (“reality” of course must be understood in broad terms, as shown above). Reality is the critical “counter-voice” that is the test to any understanding of the world, and critique does not make sense without this dialectic between activity and receptivity (the “response” of reality). Unfortunately Foucault does not elaborate on this comment (although he also circles around the question at times), but as has been seen, it is very much in line with a general theme of his thought.³⁰

Now, it is clear that this interpretation of Foucault’s lectures somehow turns Foucault into a “Habermas by other means,” i.e., he has been saved from the relativism-objection that was entailed in the presentism-

25. M. Foucault, “The Art of Telling the Truth,” *op.cit.*, pp. 139-40; “What is Enlightenment,” *op.cit.*, pp. 37-8, 43.

26. M. Foucault, “What is Critique?,” *op.cit.*, pp. 39, 41.

27. M. Foucault, “What is Enlightenment?,” *op.cit.*, p. 576.

28. *Ibid.*, p. 46.

29. Perhaps one could say that the necessity of freedom vs. reality belongs to two different stages in critique. But this does not change the point made: accepting the concept of critique developed here, both stages are of equal foundational importance.

30. Something he confirms in M. Foucault “Critical Theory/Intellectual History,” *op.cit.*, p. 442.

objection, by asserting that Foucault’s account also has transcendental implications: whereas Habermas points at intersubjectivity as the transcendental (or at least pragmatic-transcendental) condition for communicative action, Foucault is drawing on reality (as a counter-discursive phenomenon) as a similar transcendental condition. The line of arguments gets Foucault to play Habermas’ game. Is this fair to Foucault?

Obviously this approach does not provide a final and exhaustive account of Foucault. If one only focusses on how Foucault resembles Habermas, important aspects are lost. Nonetheless it is important to show in what ways they *could* be compared, without ending in an impasse in which both sides are standing on their respective “islands”, claiming that the other does not understand one’s own position. Both sides claim to have something to say about the shared world; hence both sides must be willing to argue against opposing claims about the same world. There is yet another reason why it is reasonable to make such an interpretation, and this is a critical/genealogical reason: given that both sides to some extent represent local horizons, they can (if they communicate) serve as critical (or at least elaborating) tools. By viewing Foucault through Habermas’ lenses, one becomes aware of new aspects that – and this is my claim – are often overlooked. In this case, we have recovered the realist and receptive foundation of his critical approach.

III.

From the earlier discussion it is clear that Foucault could very well maintain a critical approach, without holding universal claims. Habermas’ objections against Foucault’s *presentivism*, *relativism* and *cryptonormativity* fail, because the nature of the underlying reductions is misunderstood. Foucault does not deny the importance of the participant/interpreter, validity claims or normative aspects. Rather he points out how focus on those aspects in itself can have deleterious effects. The *presentist* (or better: *local*), *relativist* and *cryptonormative* aspects are overlooked – aspects that perhaps are not absolute, but which nevertheless are important in order to show the limits of any discourse or formation of power.

In fact, it has also been shown that to some extent, Foucault holds a notion of critique that is more radical than Habermas’ due to his emphasis on local character. Hence the questions arise: in what sense is there still something to be learned from Habermas’ notion of critique, and why has he not acknowledged the critical point of Foucault’s thought? In the following, it will be shown that Habermas’ thoughts on validity claims can

be used to attain a more subtle view on how reality is given in quite diverse forms that interact with each other but which remain irreducible. However the focus on communicative actions and validity claims on the other hand serves as a translation that narrows his view on how to criticize them (critique is something that happens between acting agents rather than something that is imposed on us).

However, rather than addressing the question of critique, Habermas tends to dwell on the issue of validity. The talk about validity claims was introduced in the early 1970s. It was explicitly broached as a topic that might broaden the discussion that rose from the investigations into the question of truth – investigations he found to be too narrowly oriented.³¹ In its original form, validity claims were presented as a four-part phenomenon, entailed in every communicative action: (a) the claim of the comprehensibility of the utterance; (b) the claim of truth as to the propositional component; (c) the claim that it is justified; (d) the claim of veracity of the expressed intention.³² Habermas realized very soon, though, that claim (a) somehow was on another footing than the others, but he has held on to the remaining three types of validity claims as interdependent but distinct and irreducible aspect of any communicative action.

The remaining three types of validity claims can be said to point to three important aspects of reality.³³ Reality is not just about how the “things out-there” limit our subjective (or perhaps intersubjective) creativity. In some sense also the subjective- and intersubjective aspects themselves serve as limiting realities that have to be taken into consideration. The point with the validity claims is that they are always disputable. But at the same time they are also unavoidable *as disputable*. They articulate the discursive fact that no view on the world is unquestionable. It is always possible to question it as to its acceptability in relation to the three types of validity claims.

It is reasonable to say that this pattern is to some degree universal (though not exhaustive: it would probably be difficult to explain for example religious and poetic statements only through this pattern). It is difficult indeed to think of worldly relations that do not involve both objectivity, intersubjectivity and subjectivity.³⁴ But this does not mean

31. Jürgen Habermas, “Wahrheitstheorien” (1973) in *Vorstudien und Ergänzungen zur Theorie des kommunikativen Handelns* (Frankfurt: Suhrkamp, 1984), pp. 137

32. *Ibid.*, 138.

33. Cf. Jürgen Habermas, *The Theory of Communicative Action* (1981), tr. by Thomas McCarthy (Boston: Beacon Press, 1985), vol. 1.

34. Actually, also Foucault in his latest writings came to realize the importance of this pattern. In M. Foucault, “What is Enlightenment?”, *op.cit.*, pp. 48-9 he – probably influenced by Habermas – points at the very same pattern as a critical systematicity.

that this is all there is to say about reality. In fact Habermas’ approach to reality through these validity claims is very much in accordance with a general move in his thought: the stress on the acting agents (putting up reflexive claims about the world) rather than on how the world affects us (receptivity). This is also clear in his view on critique.

In Habermas’ thought, critique is attached to communicative action, or to be more precise: discourse. In addition Discourse is the active reflexive attitude that emerges when the everyday life world breaks down – i.e. when the immediate, tacit, taking for granted of a certain number of validity claims (that founds everyday practice) is challenged. In immediate actions, validity claims are not questioned.³⁵ Critique is linked to communicative actions because communicative actions are where validity claims are asserted and evaluated, i.e., the validity claims are subjected to the communicative actions to a potential critique by the others: the others are free to evaluate whether to acknowledge the claims or not.

In this early phase, Habermas is very cautious of the talk about reality. On the one hand, he does not deny that reality has an important role to play in the game of validity claims. But on the other hand he emphasizes that this importance is on the immediate acting level – not on the discursive reflexive level.³⁶ On the discursive reflexive level, the legitimization of a validity claim is to be shown through arguments – not (in the first place) through comparison with reality.

It is certainly worth questioning whether this point does not rest on a too rigid separation of the immediate and the discursive level: if reality plays a role on the immediate level, it should also have a role to play on the discursive level. Habermas is to some degree aware of this. He “translates” the immediate-level “reality” (*Gegenstände*) into the discursive-level “fact” (*Tatsachen*), but at this stage he is rather unclear as to the relationship between reality and facts.

The reason for this scepticism as to the role of reality seems to be motivated by a worry about the possibility of critique. As Habermas sees

35. The distinction between immediate and discursive actions is certainly not without problems. It would probably be difficult in each particular action to decide whether it is discursive or immediate. Rather it should be used to point at the fact that actions never are absolutely immediate – nor absolutely discursive. In communicative actions some validity claims are subjected to reflexion, some are taken for granted. The so-called discursive actions are characterized by a high degree of reflexion on validity claims, immediate actions are characterized by a low degree of reflexion. But no action could reflect on (criticize) every entailed validity claim – just like no action is totally *unreflective*.

36. Habermas, “Wahrheitstheorien”, *op.cit.*, pp. 132-7 – esp. 134.

it, reality is a limit in relation to critique: reality is that which has to be overcome in order to achieve the goal of the critique. Of course one *can* criticize reality, but the critique would have to be directed at acting agents who have the ability to change reality.³⁷ Critique demands changes in reality – reality does not (in itself) demand critique. So Habermas emphasizes the normative (i.e., the active) aspect of critique, and is sceptical as to critique springing from reality. This can to some extent be seen in the following passage: “That is why results of practical discourses [...] can relate critically to actuality (*Wirklichkeit*) (that is, the symbolic reality, *Realität*, of society), while theoretical discourses cannot relate critically to reality (nature) itself, but have to relate to false assertions about reality.”³⁸

Habermas acknowledges that we can have a critical relationship to the social and symbolic part of “*Wirklichkeit*” (which is partly the product of argumentative practice, and thus a result of and open to reflexion) whereas he denies the possibility of a reflexive (discursive) attitude to the “natural” reality.³⁹ That seems to be a reasonable point of view: it does not make sense to criticize pure things themselves, critique has to relate to what is done with/to “natural” realities, whereas symbolic realities in themselves entail both normative and real aspects. But first of all I would question whether it is possible to have pure things (cf. Habermas’ own later tripartition of the world: the objective, subjective and social worlds are interdependent). Secondly, even if the distinction is granted, the role of reality in critique is not exhausted with the symbolic realities (cf. section II) Habermas does not say that it is, but since he downgrades the role of reality in critique, it would have been fair then to explicate what remains of it.

The point now is not that Habermas’ concept of critique, according to the definition of it here, is empty. Due to my considerations on the nature of reality and normativity, there is no reason to claim that Habermas’ concept is without *tension*: a symbolic formed reality can have just as tense a relation to normativity as can a more naturally given reality. Rather, my claim is that the quote above shows a general tendency in Habermas’ approach to critique: a tendency to focus on critique as an activity. Without

37. This view on reality is most explicit in his critique of Heidegger – see J. Habermas, *The Philosophical Discourse of Modernity*, *op. cit.*, pp 139–41; also in “Wahrheitsstheorien,” *op. cit.*, p. 157.

38. “Wahrheitstheorien,” *op. cit.*, p. 149, my translation.

39. A Heideggerian hyphenation is quite significant here: the shift in terminology: “actuality” [Wirklichkeit] (the reality that is “brought about”) vs. “reality” [Realität]. The same goes for Habermas’ translation of the immediate level “Gegenstände” to the discursive level “Tatsachen”.

this tendency, it would not be possible to make the above distinction as sharply as actually done. This tendency is a limitation in his concept of critique, a limitation that makes him blind to the critical potential of Foucault’s work.

The problem with this conception is that it becomes hard to account for how a critique can be established if *all* parties in the discussion believe that there is no problem, because they share a certain conceptual outlook, i.e., when there is no apparent conflict on the intersubjective level. Since the reflexive bending-together of a complex reality means drawing some aspects into focus, *at the cost* of other aspects, these downgraded aspects gradually become invisible. Hence, reflexivity may sometimes itself be what should be criticized. Yet even if this critique of reflexivity must be reflexive itself, it may sometimes be necessary to “turn down” reflexivity and orient oneself more receptively towards reality – in order to reach the *awareness* that it is necessary to reshape the conceptual outlook.⁴⁰ The point is that critique not only has to be a reflexive activity (bending together), but sometimes a receptive activity may serve to become aware of other kinds of criticizable aspects. For example, a mere description of how the institutions of prison have evolved, may turn out to be a critique of some of its aspects: not so much because the institution has inherent inconsistencies, but rather because the description shows that the institution at the outset is a product of some reductive moves that we have become aware of, i.e., reductive moves that perhaps had their place in the past but has lost legitimacy now.⁴¹

Habermas focuses on critique as something that springs from an acting agent, and as such it entails conscious, reflective agents. Critique is an attempt to get free from some purely given reality. This becomes evident when looking at the critical “tool” that Habermas proposes – the reflective idea of the ideal speech-situation, which probably has been one of the most disputed parts of the Habermasian oeuvre: “(1) Every potential participant in a discourse must have equal access to perform communicative

40. The term “world-disclosing critique” is generally attributed to the works of Adorno, Heidegger and Derrida, as opposed to Habermas’ “problem-solving critique.” Habermas is uneasy about this idea (cf. J. Habermas, *The Philosophical Discourse of Modernity*, *op. cit.*, pp. 185–210), fearing that the “potential of negation” is lost, turning critique into mere fiction. Whether to call Foucault’s notion of critique world-disclosing too, I will leave open, but it should be clear by now that he has no problem with a “potential of negation.” It is just not the negation that stems from internal *inconsistencies*, but rather a negation stemming from *inadequacy*.

41. This is the critical point in M. Foucault, *Discipline and Punish*, *op. cit.*

speech-acts [...] (2) Every participant in a discourse must have equal access to make interpretations, assertions, recommendations, explanations and justifications, and to problematize, support or reject their validity claims [...] (3) Only those who, as acting agents, have equal access to the discourse are allowed to perform representative speech-acts [...] (4) Only those who, as acting agents, have equal access to the discourse are allowed to perform regulative speech-acts. . . .⁴²

The reason for introducing this idea was not primarily to sketch out an ideal society. Rather the point has been to illustrate what communicative, discursive, non-instrumental argumentation means. And the point is not whether in an actual situation, a speech act is reasonable in the non-instrumental sense or not (transcendentally speaking). The point is rather that in an actual argument, it would be a serious objection if one could point out a violation of one of the regulative rules that constitute the ideal speech-situation. On such an objection, one would have either to revise the original argument, or one would exclude oneself from the argumentative practice. The ideal speech situation is a regulative tool in actual argumentation.

This is the strength of the idea – but also its weakness. An ongoing objection against it has been that, due to its abstract character, it cannot have any practical relevance.⁴³ I do not agree that it cannot have *any* practical relevance. It is true that it is not given in advance precisely *what* consequences the drawing on the ideal speech situation will have in every given context (which of course also is the reason why it cannot be used to form one ideal society). But this does not mean that inside a given situation it cannot have any relevance at all – it just means that we never reach the ideal argument. Further discursive reflexion always is relevant, and a dispute always has to end with an open character, “we have now reflected on the subject, and according to the arguments we could think of, the answer is X. Further reflection could perhaps change this.” This open character of any settlement is the reason why the ideal speech situation is defined through non-repressivity: when no opinion is repressed, any argument against a settlement has to be taken seriously.

What *is* problematic, though, is that it solely concentrates on the

active aspects of discourse (rules about who can *participate*, rules for *acting agents*). That is: it focuses on the normative, and the rules only articulate rules for action – the relation to reality is ignored. Hence, the critique that springs from this ideal will mainly focus on whether we “act” well in our discursive actions and not so much on whether the performed actions actually “fit” with reality. One could of course object against this statement that Habermas *does* take a reality into account: the reality that we as acting agents always are subjected to in an intersubjective community. That is true, but my point is not that there is *no* reality in Habermas’ concept of critique, but rather that the reality that is taken into account in the explanation of the ideal is too narrow: the reality of “the other” and not “the otherness.”

Habermas’ view on reality at this early stage is rather forced. On the one hand he seems to recognize that validity claims cannot be thought in naive anti-realist terms. On the other hand he is trying to downgrade the relevance of reality when talking about the discursive practice – because, in his view, the real (understood as the *other* of language) is limiting the reflexive freedom that is a necessary condition for the critical activity. This worry is very clear in *The Philosophical Discourse of Modernity* (1985) in which the objection against (among others) Heidegger and Foucault is that their focus on the ontological difference (the difference between language vs. the things spoken about) is the source of the fragmentation of modernity.⁴⁴ And certainly, if the difference is seen as absolute, this is a reasonable objection. But as shown above, this is not a fair reading of Foucault. Foucault rather wants to point out that the life world is never in *total* reconciliation.⁴⁵ Being open to the diversity of reality is just as important a tool for critique as the effort to reorganize the diversity differently.

This was an objection that was raised continuously in the nineties, and it lead to Habermas’ book on epistemological issues – *Truth and Justification* (1999). In this book he admits that the reality-aspects have been thrown in the shade in his writings since “Wahrheitstheorien.” In drawing on Punnam, Wellmer, Lafont and Brandom, Habermas undertakes to show in what sense “the real” has a role to play, not only in the immediate practice, but in the discursive practice too. He insists that the discursive theory

42. J. Habermas, “Wahrheitstheorien,” *op.cit.*, pp. 177-8 – my translation.

43. J. Tully, “To Think and Act Differently: Foucault’s Four Reciprocal Objections to Habermas’ Theory,” *op.cit.*, p. 131; M. Foucault, “The Ethics of the Concern of the Self as a Practice of Freedom” (1984), tr. by Richard Hurley and Others in Paul Rabinow, ed., *Ethics: Subjectivity and Truth: Essential Works of Foucault, 1954-1984*, vol. 1 (New York, The New Press, 1997), pp. 297-8.

44. J. Habermas, *The Philosophical Discourse of Modernity*, *op.cit.*, pp. 319-21. The worry has also a clear articulation (turned against Heidegger) in Jürgen Habermas, *Truth and Justification* (1999), tr. by Barbara Fulmer (Cambridge: Polity Press, 2003), pp. 24-6.

45. Habermas acknowledges this in *The Philosophical Discourse of Modernity*, *op.cit.*, pp. 321-2.

of truth that was presented in "Wahrheitstheorien" is still valid, but he also admits that it is inadequate. It has to be supplemented. In order to show this, he undertakes a comparison between truth and justification. In his early view truth was explained in justificatory terms. This view, is now to be supplemented, and this is due to two realistic intuitions that Habermas inherits from Robert Brandom: "1. that no matter how well justified statements may be, they can turn out to be false in light of new evidence. [...] that a world that is not of our making imposes contingent constraints on us...2. that true statements deserve to be accepted as valid by everyone everywhere [...] that the world is one and the same for all, no matter from which perspective we refer to something in it."⁴⁶

Now, it is Habermas' point with these realism-intuitions that they show the difference between truth and moral rightness. Truth-claims always have an external orientation that to some extent is independent of the communicative context in which it is claimed, whereas rightness-claims create the reality that they are about.⁴⁷ This difference between truth and rightness is not a new discovery in the thought of Habermas. It was also found in "Wahrheitstheorien" and continued to be of importance in his writings in the 1980s. But at the early stage he claimed this difference to be of no discursive relevance. In the late formulation reality is understood in discursive terms, "It is the goal of justifications to discover a truth that exceeds all justification."⁴⁸ Reality is something that we come across when the immediate life world breaks down, when we have to reflect – in discursive arguments, that is.

As we have seen, with Foucault, critique and reality are closely inter-related, leading to a focus on the receptive aspect of critique. The turn in Habermas' writings to underscore the discursive relevance of reality might be taken to indicate that the road was open for Habermas to recognize the critical value of reality. This however is not the case! Generally speaking, critique is not a major issue in the late book, and once again the claim is that "moral knowledge, unlike empirical knowledge, is inherently [von Haus aus] used for purposes of critique and justification."⁴⁹ So critique is still mainly an issue in those cases where the reality under

46. J. Habermas, *Truth and Justification*, *op.cit.*, p. 144.

47. *Ibid.*, pp. 247-8+256-8. This is certainly not to be understood in purely constructivist terms: the creativity is subjected to limitations springing from social relations and reciprocal recognition between agents. But again: these are actual restrictions rather than reality-restrictions (the social/symbolic reality rather than the natural reality!).

48. J. Habermas, *Truth and Justification*, *op.cit.*, pp. 39-40.

49. *Ibid.*, p. 265.

consideration is a product of symbolic reflexion. Empirical knowledge is not in itself useful for critical purposes, because it is not (according to Habermas) symbolically shaped, hence no normativity springs from it. Thus, the shift in Habermas' thought does not lead to a shift in his view on Foucault.

IV.

The opening problem of this paper addressed the standing of Foucault's writings as critical, given his non-universalizing approach to the topics that he investigates. Yet we have seen that locality is not necessarily an impediment to critique. Rather, a concept of critique should be evaluated as to its explication of the tension between normativity and reality. On this score, Foucault ascribes to an alternative notion of critique: critique as receptive rather than (or better: in addition to) reflexive. Critique as receptivity of how reality is limited through a normative grip, and how reality resists this limitation. This approach generates critique even where it at the outset did not seem to be called for (because of the "invisibility" of the problems).

Kant's famous "Two sources" (*Zwei-Quellen*) statement serves as the motto for this essay. His distinction can cast a new light on the relationship between Habermas and Foucault. In the statement, Kant introduces the view that any relation to worldly matters has to be understood in heterogeneous terms, i.e., as a heterogeneous compound of active/creative (reflexive) and passive/affective (receptive) elements (in pragmatic terms: a compound of Doing and Undergoing). The genuinely decisive difference between Habermas and Foucault as to the notion of critique is to be found in this distinction: whereas Foucault focuses on the critique that can spring from a receptive attitude – critique as something that is "forced" upon us – Habermas sees critique as reflexive arguments⁵⁰ between free and reflexive agents evaluating the normativity of each other. Hereby Foucault gives us a tool to understand how critique can pop up even if there seems to be no problem at the outset, whereas Habermas gives a good account of how critique functions as soon as the problems are detected.

Often the difference between the two has been described as one between Habermas, the thinker of intersubjectivity, and Foucault, focussed on otherness. As Thompson has shown, this distinction, rather than exhausting a fundamental difference, points at a difference in emphasis. The turn in Habermas' thought towards the otherness-aspect does not result in a new concept of critique or a re-evaluation of Foucault's oeuvre.

50. But not constructive – cf. Habermas, *The Philosophical Discourse of Modernity*, *op.cit.*, p. 350.

Nor should this be a big surprise, because both Habermas and Foucault show that otherness and intersubjectivity cannot be separated as two wholly independent aspects of worldly relations. On the one hand, Foucault could point out that intersubjectivity is a (perhaps special) kind of otherness that limits the subject-object relation. On the other hand, Habermas could point out that otherness (as a discursive phenomenon) has to be understood through communicative (i.e., intersubjective) concepts. He emphasizes intersubjectivity in his concept of critique because it has a more "spontaneous" (reflexive at the outset) character (intersubjectivity represents a relationship between active, evaluating agents that are dependent on mutual recognition), whereas Foucault's emphasis on the non-conceptual, breaking and limiting aspects (the "dead" aspects of otherness) obviously is motivated by the receptive understanding of critique. The decisive difference between the critical approaches of Foucault and Habermas should rather be found in the reflexive/receptive-distinction. Whereas Foucault thinks of critique as something that originates from a demonstration of the reductive implications of normative horizons – in relation to the reality towards which these horizons are pointing – Habermas thinks of critique as an active reflexion that evaluates the systematic validity of arguments.

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