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DISCOURSE AND PUBLIC REASON: PETTIT AND HABERMAS

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ABSTRACT

Philip Pettit, has argued for the concept of *Freedom as Discursive Control*, leading towards non-domination as a political ideal of freedom. On the other hand, Jürgen Habermas is one of the major thinkers behind the concept of *Deliberative Democracy*; whereby political decisions are the product of fair and reasonable discussion and debate among citizens. This paper deals with Pettit's idea of discourse and democratic traditions. Further, I have discussed how Pettit's analysis can be compared with Habermas.

Key words:

Deliberative Democracy, Freedom as
Discursive Control, Public Reason,
Habermas, Pettit.

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INTRODUCTION

Let me introduce the philosophical issues with the help of a certain scenario in a functional democracy that many of us can relate to or at least have heard of. A small group of farmers protesting a decision by the Government to buy their agricultural land for construction of a highway. Now this scenario where a group of some twenty- thirty odd farmers who have decided collectively to question the government, in what they consider a loss of livelihood and identity, bring forth many questions regarding how we view the ethical dimensions of political decision making, their acceptance, individual agency and its reflection in a group setting, decision making and deliberation in a group; in this case of the farmers to protest in a certain manner. Pettit and Habermas are two philosophers who have in their writings and deliberations discussed some of these issues, relating to democratic traditions. The first section of the paper shall discuss Pettit's analysis of freedom as non-domination and in the second section Habermas' analysis of Discourse Ethics, shall be compared to Pettit's approach.

Freedom as Non- Domination: Pettit on Governance: Pettit(2001) has focused on establishing a theory of freedom that can help us understand agency, starting from the psychological dimension continuing till the political side of it. Freedom of an agent for Pettit is conceptualized as being fit to be held responsible. This freedom has three aspects that needs to be present. Firstly, the agent should be able to decide which action to perform in any specific situation, this is taken as freedom of action.

Secondly, an agent must be able to identify and feel involved in the action he performs, and not feel as a bystander, this is taken as freedom of self. Thirdly, an agent must have a place in society that makes her able to perform her actions without coercion, this is freedom as a person.(Pettit 2001, 4) Pettit(2001, 32-103) further analyses what freedom should be for an agent. He begins by considering freedom as rational control, which focuses on the agent's ability to function according to their intentional states, such as beliefs and desires. Freedom as rational control bases itself on the account of free action and then is applicable to free self and free person. Pettit observes that freedom as rational control is faced with some issues. When we consider that an agent is guided by her beliefs and desires, it does not guarantee that the beliefs and desires are something that the agent owns up to, so an agent having freedom as rational control still may be faced with the bystander problem, wherein she may not be able to be involved in her actions. For instance, a person who believes in doing a certain act, but cannot exactly answer how the belief is formed in her mental state. Further the theory of freedom as rational control is not able to explain the stand of freedom as a person. A person may be subject to hostile coercion into doing something or else she shall be harmed, and still can very effectively act based on a rational choice, the choice being either to give in to the coercion or not. The second dimension in which freedom is considered is freedom as volitional control, which Pettit describes following Frankfurt. In freedom as volitional control, an agent is free if she can form second-order desires in addition to the first-order desires, second-order desires being desires specifically about first-order desires.

This specification can help us overcome the bystander problem, as a free agent can identify herself with her beliefs and desires. Here we believe start from free self and move to free action and free person. Pettit observes that freedom as volitional control does not fix responsibility on the agent for her choice, because responsibility is recursive and if second-order desires are responsible for first-order desires, then what is responsible for second-order desires. This problem makes it difficult to understand freedom of action. Another inherent problem with freedom as volitional control is that when freedom of a person is considered hostile coercion is still possible. As when threatened a person's second-order desire may be to belief and desire to give into the treat, to avoid harm. The third dimension of freedom being considered is freedom as discursive control, here the consideration of freedom begins from the free person and is applied further to free action and free self. In this dimension an agent shall be free when she has control in a discourse. And this control has two factors ratiocinative capacity, to take part in a discourse and relational capacity, to enjoy relationships that are discourse friendly. "To discourse is to reason, and in particular to reason with others", Pettit(2001, 67) describes following Scanlon(1998). Further we can see the freedom as discursive control is inconsistent with hostile coercion, which is not discourse friendly. But a friendly coercion that acts like a mast to a ship is acceptable. Pettit further argues that freedom as discursive control is consistent with the free self and free action. In a discourse an agent must endorse her past commitments and act according to it, so an agent doing so has a free self, and is not bogged down by the bystander problem. Further, free action according to discursive control is based on how an agent's act is consistent with freedom of the person and self, and in doing so an agent can be held responsible.

Pettit after analysing freedom in an agent, argues in favour of the collective agency. He begins his argument through the discursive dilemma that groups are faced with in decision making. Decisions are on opposite sides of the spectrum when on the one hand decisions are based on individual arguments and on the other hand based on premises. For example, a group of employees when asked if they want to bear a pay sacrifice for better electric safety in their office, may in majority disagree with pay sacrifice, when the decision is taken individually, while agreeing that electrical issues need to be sorted. But if the same decision is taken on premises-based manner, since electric issues need to be addressed is agreed upon, it may seem that the group is agreeing on the pay sacrifice. To address this dilemma Pettit insists on collectivization of reason. Groups that collectivize reason are termed by Pettit as integrated collectives and they apply reason at the collective level. In doing so groups are consistent with past decisions and their group identity is upheld. Pettit further has explained that the collective integrates are real in the sense they display mental properties that are not just a summation of individual mental ideas. We can better understand these aspects by considering the previous example regarding employees arguing for pay sacrifice, if reason is collectivised it is most likely that electric repair shall be prioritized and pay sacrifice mandated, even though majority of individuals had disagreed on pay sacrifice based on other reasons. And in doing this the group shall hold on to this decision even in the future where it can prioritize important issues, above individual interests. Pettit has also argued that collective integrates can be candidates of freedom as discursive control, as integrates can interact in discourse with other integrates or individuals. Further, integrates qualify for free person, free self, and free action.(Pettit 2001, 104-124). Pettit further discusses about the political ideal of freedom, which is based on the theory of freedom as discursive control. Pettit observes that he wants to understand if the state has freedom, what is the ideal upon which this freedom shall be based. Taking into consideration freedom as discursive control, Pettit says that political ideal of freedom will be on the one hand "more austere" than discursive control, being concerned with interpersonal and not the intrapersonal preconditions of discursive control. On the other hand the ideal shall be "more enriched" as it shall move beyond individual agency and consider the overall environment where agency functions. The first ideal that Pettit discusses about is the ideal of non-limitation. Limitations are of different dimensions, some natural like disability,

illness etc., others may be due to consequences, intentional or otherwise, of human agency. And an individual shall be free to the extent that they avoid these limitations. But Pettit does not approve of this ideal of non-limitation. He points out that there are certain cases specially the one's dealing with warnings, where freedom as discursive control no longer holds ground. And a state can very easily tend towards such policies, which though seems consistent with the ideal of non-limitation, shall seriously impact the discursive control an individual or group has. We can understand this with respect to coercive policies a state can apply pointing towards a goal which consists of removal of other limitations. The next ideal that Pettit considers is the ideal of non-interference. This ideal is based on two stages, in the first stage a person is politically free, as far as she has no interference by others, this can be considered as formal freedom as non-interference. And in the second stage she has no interference from acts arising from others non-interference, this consists of effective or real freedom as non-interference. In this ideal interference is taken as freedom compromised, while limitation is understood as freedom conditioned. Pettit does not consider this ideal to be perfect, the one specific point of concern which he points out is that related to domination. He points out there are certain agents or agencies that can have the power of arbitrary interference in an individual's life, but they rarely if ever exercise such power. He gives many instances of such relation one such example is that of a wife of an occasionally violent husband, in such a case the wife is in fear and lives in the mercy of the husband's violent nature, though it may not be there. The state can also be arbitrary in its actions, and such the individual or group may lose discursive control, even though apparently no interference is displayed. To counter this the ideal that Pettit proposes is that of non-domination. This ideal adds one more aspect to the ideal of non-interference, that is, "any exposure to a power of arbitrary interference, whether or not that power is exercised."(Pettit 2001, 139) Thus, a state where the political ideal of freedom is non-domination shall function in such a way that it keeps its citizens free from any fear of arbitrary actions and thus establish discursive control. Pettit points out that this ideal is constitutionally and sociologically rich and further this ideal take into consideration an environment for discursive control, thus making it "more enriched".(Pettit 2001, 125-151).

Pettit after establishing the ideal of non-domination as politically acceptable ideal of freedom. Pettit(2001, 152-174) discusses democratic principles and freedom, wherein he pitches for a republican political philosophy. A republican state shall endorse the ideal of non-domination as political freedom. There are two dimensions that a republican state needs to avoid and curb. Firstly, imperium or arbitrary power of the state or public and secondly, dominium which is the private power that certain sections, individuals, or collectives, enjoy at the expense of others. Pettit tries to point out that democracy, though imperfect holds the key to the republican state, and it is here that ideal of non-domination combined with discursive control shall help us sort out the imperfections. And thus, the state must be forced to take into consideration certain interests of the people. In this context the next section shall deal with Habermas' discourse ethics, that shall help us analyse the democratic process further.

Discourse Ethics: Habermas in Comparison to Pettit: Habermas, according to Chambers (1995), has always vouched for a theory of democratic legitimation that is based on discourse ethics. If we look into the structure of debates surrounding discourse ethics, we shall see a focus on moral philosophy based on neo-Kantian approach. Habermas has termed that discourse ethics as more descriptive than normative, as it deals with "a reconstruction of everyday intuitions underlying the impartial judgement of moral conflicts of action."(Habermas 1990, 116) In a democratic setup discourse can be considered as better model of democratic legitimation than moral validity. This is because moral validity is something that concerns universal standards on the other hand democratic legitimation is concerned with certain communities and discourse can be a better standard to test democratic legitimation, with regard to certain norms that can deliberated upon by citizens of that community.

Chambers(1995, 235) following Habermas has argued that discourse can accomplish “a rationalization of public opinion and will formation.” She discusses this aspect following Kant’s principle of publicity, which tries to combine the requirements of right, concerned with justice and general interest with the requirement of politics, concerned with obedience and stability. Publicity demands that maxims with regard to human good ought to be compatible when made public and further if a maxim brings forth a certain resistance against an individual’s plans that is reflective of something unjust. Publicity further enables the process by which even while considering each individual as an autonomous agent, a sense of obedience or stability is constructed; this is possible because each individual is rational in their approach. Chambers observes that though Kant was not democratic in his approach, his theory of publicity when combined with modern day concept of democracy can give us the deliberative theory of democratic legitimization. In this process the main focus is on the deliberative process that can convince citizens through reason. This convincing of citizens plays an important role as a marker, since institutions and norms which cannot be convincible to the citizens fail the test. “Convince by reason” following Kant is convinced by public reason, that is when reason is used for the common good or general interest. Chambers further observes that it is discourse ethics that brings democratic legitimization to this idea of public reason and thus we can have rational public opinion and will formation. There is another interesting dimension that she has focused on, the difference between strategic action and communicative action. In a strategic action bringing about behavioural changes is the goal. While on the other hand communicative action brings forth genuine understanding and “discourse is an idealized and formalized version of communicative action.”(Chambers 1995, 237) Habermas has observed that communicative actors are supposed to be interested in mutual understanding rather than external settings. This makes convincing of the other genuine. Further no one should be excluded from the discourse, discursive equality is essential. Habermas in his later works adds pragmatic discourse dealing with the means and end issues and ethical discourse dealing with self-understanding of individuals and groups in addition to moral discourse. The rules with regard to discursive equality are applicable to these additions too (Chambers 1995, 235-241).

The next issue that needs to be discussed following Chambers (1995, 241-247) is how can a discourse be set up. Following Habermas’ view point that communication does not have to be established as an ought, but rather it is an intrinsic process in our life. Further Habermas is of the view that social and political structures in our surroundings cannot be controlled through force or strategic games. This is when discourse is needed, when certain changes are needed to bring into the cultural dimensions of the citizens in a particular given society. What discourse provides is a certain window for democratic legitimization wherein the norms that are introduced are put into the test of conviction by reason. There are two dimensions that need further understanding while understanding discursive theory. The first dimension is that there is an underlying system of justice that is sought after in real world discourse and culture and communication are the bases of this process. These discourses bring forth consensual foundation to norms and rules. Further ethical and social dimensions of the norms are also analysed using rational. Habermas’ discourse ethics focuses on stability. The second dimension that needs our attention is that in the modern democratic setup the norms may turn out to be susceptible to certain unexpected changes. And this is because the shared understanding on which these norms are formed based on discursive legitimization may be fluid-in-itself. What Chambers(1995, 246) concludes is that there is “no need for a special mandate to set up a discourse.” Rationality along with cultural and social setting can form the discourse and shape in certain ways, but then the rules that Habermas focuses on should be primarily adhered to if we are really concerned about democratic legitimization of the discourse ethics. Given how Habermas discusses about discourse ethics, we can place it beside Pettit’s analysis that leads to his theory of non-domination as an ideal for political freedom. Habermas approach and strict adherence to the principles of discursive equality find reflection in Pettit’s approach of freedom as discursive control.

With the two dimensions of ratiocinative capacity, to take part in a discourse and relational capacity, to enjoy relationships that are discourse friendly Pettit is trying to set certain specific rules that are essential to the agency of an individual or a group. The discourse ethics that Habermas discusses has its reflections on Pettit’s analysis of how we can form collective agency where the focus should be collective good rather than the individual self-centred approach. This is similar to the view of Habermas that cultural or social settings can affect the democratic legitimization of the norms that are being discussed, where individuals are engaging in discourse but keeping the collective dimensions in mind. Another aspect that has similarity with Habermas is Pettit’s approach towards common allowable interests which a state must be forced to track. Further it is democratization that is the focus for both. But then Habermas has observed that discursive democracy is different from republican and communitarian ideals of democracy, this is because Habermas observes that discourse is not dependent on the creation of collective subjects that act as one, but only on rationally shaped public opinion. If we can take the liberty to analyse Pettit, we can see that this is exactly where Pettit tries to differ from Habermas’ understanding. Pettit starts from the individual agency wherein discourse provides the basis of freedom and then this same basis can be applied to collective agency, which is a fact. Rationally shaped public opinion is in fact a dimension of collective agency, that is formed through discourse and in a way has freedom as discursive control. The way Habermas analyses collectives that act as one may be something that does not collectivise reason and thus is different from Pettit’s analysis.

CONCLUSION

While discussing Habermas and Pettit regarding democratic practices, I have tried to bring the focus back on discourse that has somewhat been ignored in the present socio-political milieu. Even if we consider the political discourse in functional democracies, whatever the level, local to national, we shall see that discourse is something that is paid only lip service. Pettit has observed that democracy has its limitations, but we need to work on it, similarly Habermas has put forward his idea deliberative democracy. In this regard discourse and discourse ethics can provide citizens with public reason to hold the governments accountable and then towards just systems. It may seem a far-fetched ideal, but then given the rampant injustice prevalent in society we need to form collective integrates that can shape public reason. And how can we shape public reason? The answer is: “convince by reason” through discourse so that democratic legitimization of just practices is approved of. In the real-world scenario these discourses may turn out to be unconstrained and highly ineffective at times, but then what options we are left with? We must apply more democratic practices to further deliberation which is the essence of democracy. At the best we can compartmentalize discourses based on interests and then further engage in discourses arising from discourses, but never give up on the discourse ethics. This is the hope we can provide to the numerous diverse voices, like the one we discussed in the hypothetical scenario at the beginning of the paper. The hope to be heard in a way that their rational judgements are respected, whatever the outcome of the discourse.

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