

Dussel's Critique of Discourse Ethics as Critique of Ideology

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Abstract: Political philosophy should have the ambition to meet the conceptual demands of both government and governed. Critique of ideology is a classical modern way to see that such demands are met. In this perspective a marginal position is beneficial, namely when it comes to experiencing the particularity of a statement proposed as universally valid. The Argentinian-Mexican philosopher Enrique Dussel has exploited his marginality to point out shortcoming in modern critical theory, which he considers ideologically flawed. In this critique he employs Marx, Levinas, and the founding fathers of the Frankfurt school. The critique is mainly directed towards discursive ethics in terms of materiality vs. formality, where Dussel points to the material importance of economy, the body and teleological content for ethics. Apart from the epistemological benefits, being marginal has material importance, since it is in the peripheries of the world that the suffering is realized and thus experienced in the most extreme way, namely as exploitation, starvation, slavery and torture. As practical philosophy both ethics and political philosophy must be able to back up normative stands on such material matters as well as principles and procedures, and this is what Dussel reminds us.

Key words: ideology, discourse ethics, matter, victim, U-sentence.

For more than three decades the Argentinian-Mexican philosopher Enrique Dussel has been engaged in developing the Philosophy of Liberation in a critical dialogue with various philosophers, living as well as dead. Inspired by Levinas, Dussel's main concern was from the beginning to formulate an Ethics of Liberation, which was first conceived of as specifically Latin American (Dussel 1973-80), but latter simply as ethics, and the result is an impressive work, the *Ética de la liberación* from 1998, which is now being published in its fourth edition in Spanish and is in the process of being published in English.¹ Apart from Levinas, Dussel main philosophical inspiration in this project comes from a new reading of Marx, but nevertheless his favourite interlocutors during the whole period were philosophers representing discourse ethics, namely Apel, Habermas, and Wellmer. In this paper I will discuss what I consider one of the main issues at stake in the interchanges between the ethics of liberation and discourse ethics, namely Dussel's critique of discourse ethics to be merely formal and thus reductionist in its conception of ethics, that this formalistic reductionism is ideological in the classical Marxist sense, and that a better understanding of matter will lead to a better understanding of ethics.

First it must be determined in which sense practical philosophy includes critique of ideology (section I), second I will then sketch in what sense Dussel critique of discourse ethics is a critique of ideology (section II). One of the main points for Dussel is to point out that Apel's approach to discourse ethics is formalistic and thus reductionist (section III). In the case of Habermas Dussel recognizes that he allows matter to play a more important part in his idea of discourse ethics (section IV). But this is not enough for Dussel, who

1] It is being translated to be published soon at Duke University Press.

thinks of matter as intrinsically linked to universality and critique (section V). Dussel's concept of matter and materiality is thus both ambitious and comprehensive, comprising at least three distinguishable senses (section VI), and the negligence of discourse ethics concerning matter in this respect must be considered ideological (section VII). It is the intrusion of the Other that makes me side with the victim and thus make me capable of doing critical science (section VIII), but even though this shows Dussel's ethics to be of fundamental importance, it still does not make mainstream philosophical ethics and politics superfluous, since Dussel mainly focuses on what is unacceptable, whereas we would also like be able to chose the best ethical and moral alternative among those found acceptable (section IX).

I. A PRACTICAL PHILOSOPHY WITH UNIVERSALIST AMBITIONS MUST INCLUDE A CRITIQUE OF IDEOLOGY

Practical philosophy is about determining concepts in such a way that it can contribute to the realization of the good life. It is in this sense philosophers since Aristotle have considered ethics practical. How this kind of thinking is dealt with, however, varies a lot. Many philosophers naturally side with those in power and take the point of view of an agent to discuss how we – that is, those of us, who are sufficiently free – can organize our life and act in the best possible way. This point of view is perfectly sensible and legitimate, if “we” are actually a substantial amount of the population in question, and if “we” actually constitute a community, who rules itself democratically. If on the other hand we are dealing with a feudal society, an absolutist monarchy, or even a military dictatorship, where the very few rule the vast majority, then it is reasonable to ask, if the “we” of ordinary ethics is likely to express the viewpoint of people in general. Or whether the “we” is not more likely to function as a pseudo-including cover-up for serious conflicts of interests between various groups, classes, races or genders (see Adelson 1994, 4-5).

This way of questioning opens up practical philosophy to include the point of view of those members of a society, who are not as free as those in power. As Marx noticed (1969[1845-46], 46), the ruling ideas are always just ideas of the rulers, and this is relevant to point out no matter what kind of government is in power. When it is forgotten that the ruling normative ideas might have an origin that shows them precisely to be just ideas of the rulers; when it is forgotten that it is in the interest of every potential ruler to present his ideas as in the societal interest of all citizens (47), and that such ideas therefore might not be valid and beneficial for everybody; then one can consider such ideas ideological, and a critique of a set of such ideas can thus be called “critique of ideology.”²

2] Marx opposed ideology to science, whereas, for instance, Lenin thought of communism and bourgeois ways of thinking as both kinds of ideology (see Nogueira 1992, 185-88). Habermas (1971, 266-67) argues that the fault is to be found in Engels' naturalized conception of ideology. To me, it is sufficient to recognize the opposition between ideology as only of particular validity and thus opposed to what must be considered reasonable, that is, of universal validity.

Practical philosophy tries to determine normatively relevant concepts in the most universal sense, but of course philosophers are each by themselves ordinary people, influenced by time and location, by local culture and politics, and by social and economical conditions. The problem is that we often ourselves cannot see, what these conditions do to our thinking. As the Bible puts it, it is easy to see the speck in the eye of your brother, it is quite another thing to discover the log in your own eye (cf. Matthew, 7.3-5). In such processes the formation of consciousness literately happens behind our backs, as Hegel reminds us (1952[1807], 74 (A20)). Thoughts that we assume simply to be true as a matter of course, or that we sincerely believe to be the best possible expression of something universally valid, can under the right circumstances reveal themselves to appear valid to us only because of our particular living conditions. We are thus ideological in our thoughts without knowing about it; if we really knew about the matter in question, we would probably experience great difficulties believing in the ideological distortion of it.

Such a lack of consciousness of ones own dependency can be called hypocrisy, but is probably better named "false consciousness." Ideology and false consciousness consist of prejudices that we develop growing up and living in a human society. Some of them are fundamental for our orientation in an otherwise very complex world, and they are therefore very difficult both to discover and to change. This means, however, as Gadamer (1986[1960], 301-2, 457-58) has convincingly argued, that distance can be considered as a condition that contributes positively to the acquisition of knowledge, and the marginalized members of a society can therefore be said to occupy a privileged position when it comes to certain types of practical knowledge.

It is this privileged position that Dussel has taken upon him to exploit as much as possible as a philosopher. His doctoral work, which comprises both history, theology and philosophy, was done in the centre of the world system,³ in Spain, France, and Germany in the nineteen sixties, but as professor in philosophy in Mexico, he has since the seventies been back in the periphery, that is, in the position, wherefrom the ideological repression and false consciousness that rules in the centre is most easily revealed. The result is the so-called "philosophy of liberation," which is a practical philosophy in the above mentioned classical sense, that is, an ethical and political thinking, which has ambitions to be both universally valid and practically relevant. As practical philosophy it must contribute to the realization of justice in the world, and for the suppressed classes such a realization implies liberation. Therefore the expression "philosophy of liberation."

II. THE CRITIQUE OF DISCOURSE ETHICS IS A CRITIQUE OF IDEOLOGY IN A SENSE THAT HABERMAS HAS USED

For more than a decade Enrique Dussel has been conducting a dialogue with discourse ethics, mainly as it has been embodied by Apel, but also in relation to Habermas'

3] The term "world system" is employed with a conscious reference to the work of Immanuel Wallerstein, which is also of major importance for Dussel (1998a, 51-54). In this context, however, I will not discuss further questions concerning this aspect of Dussel's work.

version. During these encounters Dussel's general approach has been a critique of what he perceives as the ideological bias of discourse ethics, which he assumes to be resulting from having to view the world from within the peculiarities of the world centre. His general point is simple, namely that the position from which we experience affects our ability to experience and thus the resulting experience as such.

To back up this claim, Dussel can here draw on the force of an *ad hominem* argument, namely by referring to a quotation from one of Habermas' earlier works, *Theorie und Praxis*:

[I]n the developed countries the standard of living has been raised so much, also in the population at large, that the interest for liberation of society cannot any more immediately be expressed in economic terms. Alienation has lost its evident economic form as misery. [T]he proletariat as such is dissolved. (Habermas 1971, 228-29; see Dussel 1998a, 188; 1998b, 142)

As Habermas expresses it, it is obvious that the material living conditions can make people think of freedom in less economical and, one can add, material or even less corporal terms. In the most central centres of the world system, material necessities are almost unnoticeable. As Habermas puts it, alienation has lost its form as misery, meaning that in the rich centres of the world alienation does no longer by necessity imply starvation, pain and death in their literary senses. But, as Dussel (2005b, 341) is never tired to underline: In the periphery life is to a much greater extent confronted with death, and whether it is in the cities or on the countryside, in the periphery the daily life is marked by matter, namely by poverty and lack of social rights.

The basic thought is that apart from the spatial separation between centre and periphery, the more benign living conditions in the centre makes one ignorant to the sufferings of those excluded or living at the periphery, and that this also has an impact on the way we, the philosophers think of ethics and morality, no matter how much we discuss universality. Actually, it influences the very way we discuss universality. Dussel simply claims that it is the living conditions that conditions western philosophers such as Apel and Habermas to be less aware of those aspects of ethics, which are important for the victims of exclusion and suppression, the widows, the refugees, the orphans, the harassed women etc.

Dussel's critique of discourse ethics thus follows the classical scheme of a critique of ideology, claiming that what poses itself as universally valid – i.e. discourse ethics – can in reality be recognized as of a much more limited validity, since it has not escaped the conditions of its own origin. Hinting in this way, however, at the distinction between genesis and validity, also makes obvious that Dussel has to say more to deny the validity of discourse ethics. According to Marx (1969[1845-46], 18) an ideological conception is actually wrong, but it still remains to be shown that discourse ethics is ideological in this strong sense. Neither has discourse ethics yet been shown ideological in the even stronger sense, namely as a set of ideas, which are both false and necessary to uphold existing inequalities, since they blur the perception of those inequalities and thus function as

support of continuous exploitation and suppression. To get within reach of such strong conclusions, we have to look more closely into the basic logic of discourse ethics.

III. DISCOURSE ETHICS IS REDUCTIONIST; IT FOCUSES EXCLUSIVELY ON FORMALITY AND IGNORES MATTER

The basic idea supporting discourse ethics is that rational discourse is the original mode of language use. When one is communicating in the most basic sense, e.g. telling an interlocutor that he or she is right about something, one presupposes truth claims, and this is also the case when one is criticising, even when the critique is directed towards the very importance of communication, argument or reason as such. To criticise something means that you are arguing against something and that is already arguing, i.e. communicating is the sense used here – and, so the argument goes, therefore the original mode of language is communicative and orientated towards mutual understanding. So the basic relation between people using language is one aiming at mutual understanding, and all other uses of language are parasitic on this original mode. As Habermas puts it: “Mutual understanding is inherent as *telos* in the human language.” (Habermas 1988[1981], vol. 1, 387) To use language instrumentally or strategically one presupposes that the interlocutors still think we are communicating; it is only on this precondition that they can be influenced in a way so they are manipulated, fooled, or even deceived.

On the basis of this conception of language Habermas argues that moral norms can only be considered universally valid, if they can be submitted to a rational discourse and be accepted by all of the interlocutors possibly participating in such a discourse. This is formulated as a principle, the so-called “discourse ethical ground sentence”, or just “D” (Habermas 1983, 76). The idea is very similar to the way the truth of a proposition is supposed to be tested according to the critical rationalism of the late Popper (see Albert 1968, 29-31). If what we strive for is universal validity of norms, then we must let our values be tested by the most thorough critique in a rational discourse. Only if our ethical values can survive such a test can we consider them candidates for universal moral norms.

Such a conception of ethics, however, Dussel finds all too simple. Inspired by Levinas and Marx Dussel criticises Apel and Habermas to have put too much stress on the demonstration of the universal validity of moral norms and too little on the matter of ethics. Dussel accuses Apel to ignore “the sense of the ethical materiality of the life of the human subject” (Dussel 2005b, 341) and together with that, all empirical, historical, and material aspects. Instead, in his discourse ethics Apel allegedly only considers universal conditions of possibility for moral validity. The question of validity is given absolute priority in relation to questions of content, that is, of what is good. In the discourse ethics of Apel matter is not the core issue, neither negatively nor positively. According to Dussel, matter is simply relegated and ignored, and discourse ethics has no intention at all of grounding a material ethics. As far as I can see, this is his basic critique. But what does that mean? What is the matter? First, what can be said of matter and form in relation to

the rather traditional perspective of discourse ethics, and, then, what can be said about this matter, if we employ the perspective developed by Dussel in the ethics of liberation?

First of all, one still has to make a note concerning the use of the terms “ethics” and “morality”, and especially when discussing these matters in English. In mainstream Anglophone practical philosophy “moral” and “morality” signify something intuitive and often even collective or unconscious. “Ethics” signify the personal and systematic reflection about moral matters, as it for instance happens in moral philosophy, and this discipline is therefore called ethics. In that sense ethics is part of morality, namely the most systematic and consciously laid out part. The problem is that when we discuss these matters within philosophy in the tradition after Kant and Hegel, then the situation is almost turned upside down. For Habermas ethics thus has to do with substantial values and the good life in a particular community, whereas morality has to do with norms aiming at universal moral validity. According to Habermas discourse ethics should therefore rightly have been called a “Diskurstheorie der Moral” (Habermas 1991, 7). This means that when one makes the distinction between the content of and formal validity in German, then ethics traditionally deals with content, whereas morality is concerned with norms and their validity in terms of universality, that is, form.

This is reflected in the way Dussel argues for the importance of matter for ethics. He employs a kind of transcendental argument, stating that Apel cannot get away with his formalist strategy, since discursivity in the sense Apel uses it presupposes mutual recognition in a material sense. According to Dussel we cannot evaluate the propositional content of what is claimed in a discourse formally, if we do not listen to the content of what is said, and this presupposes respect for the interlocutor as a rational and reasonable person. So Dussel actually recognizes the relevance of Apel’s transcendentalist strategy, but claims that it has not been thorough enough. The transcendental condition of possibility for formal validity is that we in a discourse take each other seriously, i.e. that we recognize the personal dignity of the Other. This Dussel considers a “material moment” of ethics (Dussel 2005b, 341), where “moment” is understood in its Hegelian and not in its existential sense (see Hegel, 1952[1807], 73 (A18)). This, however, does not suffice for Dussel. The question of materiality is much larger in scope than just to function as a condition for the possibility of formal validity.

To appreciate Dussel’s point, we must look a little more into the logic of Apel’s transcendental pragmatics. The main idea is that it would be a contradiction to deny the propositional content of what one does in action. According to Habermas (Habermas 1983, 90) this implies a kind of grounding that breaks with the semantic idea of grounding as exemplified in deduction. Grounding in the transcendental pragmatic way relies on the recognition of a fact, namely that argumentation can only continue to be meaningful as a language game, if some pragmatic conditions are met in action. Such conditions are of the following kind:

Something, which I cannot deny without being confronted with an actual self-contradiction, but which I cannot ground deductively without being involved in a formal logical *petitio principii*. (Apel 1976, 72-73; see Habermas 1983, 92)

Deductively speaking such grounding would lead to a vicious circle. But Apel's point is pragmatic, concerning the action involved in speech. The claim is that if one's speech action takes form of an argument, then one cannot without contradiction deny that logic and reason matters (Habermas 1983, 93). It will be a performative self-contradiction to argue that one can simply ignore arguments. Quite the contrary, letting oneself be engaged in such speech actions actually implies that one recognizes in action, i.e. in practice, the forceless force of the better argument. Involved in this idea of inescapable conditions of possibility is thus as mentioned some kind of an empirical fact, or something ontological, just as the question of meaningfulness here is pragmatic as related to action, not linguistic or semantic, that is, not related to propositional truth. The crucial point here is the general logic of recognizing something as a transcendental condition, which cannot be ignored. For Apel such a condition is an action performed, but for Dussel such a condition is material in a more general sense than just an action.

IV. HABERMAS' VERSION IS DIFFERENT SINCE HE RECOGNIZES THE IMPORTANCE OF MATTER FOR ETHICS

Part of the idea we can get from Habermas' version of grounding in discourse ethics. His way of formulating discourse ethics draws explicitly on Apel's idea of transcendental pragmatism, and he accepts the basic idea of criticising by exposing performative contradictions and thus basing the validity of ideas on something not ideational. Habermas illustrates the logic of such a way of grounding with Descartes' *cogito*. By using such an illustration, however, Habermas actually displaces the idea as it thought of by Apel. And this displacement is not just a coincidence; it is symptomatic of the differences in perspective between Apel and Habermas, since for Habermas the conditions not to be ignored are precisely not only pragmatic, but also material. What I am thinking can be illustrated by reference to one of the paradoxes of classical antiquity, namely the one where a Cretian put forward a proposition stating that all Cretians are liars. In this case the propositional content of the material condition is in contradiction with the proposition expressed. This is not just a point concerning the speech action, but something material concerning values, namely the culture on Crete.

That Habermas finds the focus on matter much more relevant for discourse ethics than Apel is already indicated in the idea of another principle, namely the 'universalisation ground sentence' U. According to U a norm is only valid, if the consequences and side effects of its being followed can be accepted by everybody affected by that activity (Habermas 1983, 75-76). According to Habermas the U-sentence states a condition, which is basic to discourse ethics. U is called a "bridge principle", which is considered on par with the principle of induction, and that is because it brings us from our private

material considerations into ethics proper. It is by following the universalization rule that private interests can be transformed to values, and one can pass from unethical behaviour to ethical actions in Habermas' sense.

U is clearly concerned with material matters, and actually I think that *Faktizität und Geltung* is best considered as a full development of the principle stated in U. *Faktizität und Geltung* formulates the rules to be followed to realize a society, where discourse ethics proper, the abovementioned principle of D can rule our normativity. I will leave the attempt to form a detailed argument for this to some other time, but here it is still worth remembering that U stand for 'universalization', not 'universality'. It refers to a process that aims at bringing individual interest to the levels of ethical values, not a criterion for validity. Universality as criteria is relevant, when we discuss the discourse ethical principle, D, which is formal in that sense that it demands acceptability by all those possibly affected as participants in a practical discourse. And it is that principle, D, not U, which according to Habermas (1983, 103-4) express the moral core of discourse ethics.

U specifies norms that one must accept living in a society of people pursuing different interests. The specification of the condition for acceptance of such norms, however, it is not deontological, but consequential and material. And I think this must mean that we are simply talking of the political-economical conditions for realizing the discourse ethics. U concerns the universal acceptance of the material consequences of each individual in pursuit of his or her happiness, that is, of economical and political freedom. Habermas wants the material condition (U) realized universally as a condition of ethics, but that is ethics in terms of the good life, and thus a matter, which can be dealt with in practical politics, whereas ethics as morality is to be secured by the criterion expressed in D, which is formal and procedural, i.e. concerned with moral norms.

What is at stake is the level of political-economical freedom acceptable in a society, and in this aspect Habermas is much more demanding than for instance Rawls. Rawls (1999, 65, §13) allows for a political-economical inequality, if it can be argued to be to the benefit of the least advantaged. Habermas simply demands that there should be universal acceptance of norms and that leaves the question of inequality up to the verdict found universally acceptable in discourse. And we should remind ourselves that universality in the classical Kantian sense is expressed by D, not U, in spite of the latter's name. U states that we have to live with the fact of each other as following different life plans. What is expressed is thus a social liberal precondition accepting each individual life as ideally a realization of an individual plan, just as we can find it by John Stuart Mill (1961[1859], 304-5, § 3), although Habermas' version (1995, 114-15) is more deontological than what is expressed by Rawls' difference principle. To Habermas matter thus concerns the political condition for ethics. As he mentions in passing, discourse ethics presupposes highly rationalized life forms (Habermas 1988 [1981], 119), and for Habermas (1981, vol. 1, 205-8) rationalisation must always be understood in continuation of Max Webers theory of western capitalist modernity. Discourse ethics thus presupposes the life forms, which we are in the process of developing in the most affluent parts of the world.

I have paused a little on this subject because the understanding of the U-sentence has been a matter of some controversy among readers of Habermas (cf. e.g. Finlayson 2000, Langlois 2001, Abizadeh 2005, and Lumer 1997). Apel (1998, 733-35) argues that D is just a variation of U, and in Scandinavia some of Habermas' most dedicated readers seem to have passed rather quickly over the difference and relation between U and D (e.g. Larsen 2005, 143, 209 and Glebe-Møller 1996b, 15, 18). Some have even argued that in some contexts the U-sentence is identical to the D-principle (e.g. Bordum 2001, 30; Glebe-Møller 1996a, 86; Glebe-Møller 1996b, 21, and Eriksen & Weigård 1999, 214; 2002, 239).⁴ Dussel, however, does not fall into that trap. In his analysis of Habermas' contribution to discourse ethics Dussel (1998a, 185) recognizes that Habermas characterises the fundamental proposition of universalization, the U-sentence, in terms of matter, and that Habermas by formulating U is arguing for the importance of material conditions for ethics and morality.

V. ETHICS MUST BE DEVELOPED IN TERMS OF MATTER, BUT STILL AS UNIVERSAL AND CRITICAL

When Dussel criticises discourse ethics for being only focussed on formality and ignoring matter, then it is primarily Apel, who is the target. Dussel recognizes that Habermas includes matter in his version of discourse ethics, but still he is not satisfied. And the reason I think is found in Dussel's understanding of matter and materiality in relation to ethics.

In order to get a proper understanding of what Dussel is up to with his ethics of liberation, it is important to underline that Dussel adheres to the traditional philosophical ambition of universal validity. Dussel (1999, 116-18) thus recognizes the formal aspect of ethics as necessary, but the point is that it is not sufficient. He also explicitly recognizes the claim that philosophical thinking should be rational and scientific, adding just that science as such should be critical in a sense, he attributes to the original Critical Theory of Max Horkheimer. To be 'critical' as a scientist means for Dussel something very specific, namely that in the scientific research one should place oneself beside the victim (1998c, 191-93), that is, beside the poor, the hungry, the orphan, the woman, the Indian etc. To be critical thus means to take side for those, who are marginalized and excluded from the centres of the world system, i.e. from the modern capitalist society, no matter whether they are found in first, the second or the third world.

To stand beside the excluded, however, does not only mean that you take an ethical and political stand. It also means that one gets in the position to experience the limitations that practical philosophy has to overcome. It is the victims' point of view that reveals governing thoughts as ideological in the classical sense, namely as the thoughts

4] Some of the references and my understanding of these matters owe a lot to discussions with Natascha Schlottmann (2009).

of those in government. Dussel's focus on the victims does not mean that he is trying to construct a practical philosophy designed specially for the periphery, the exploited and the suppressed. His constant reference to those, who are excluded, is part of his critique of current schemes of thoughts as ideological; when practical philosophy wants to claim universal validity, letting those, who are excluded, be the centre of attention constitutes a perfect test case.

This way of referring to the victims of modern western capitalism, however, keeps within the formal approach of discourse ethics, and Apel has also recognized that the idea of the appeal of the victims does pose a challenge to discourse ethics, although he does not consider it a fundamental problem (see Pinero 2005, 32). Those excluded, however, are also interesting in relation to ethics in another sense, namely because they in a very material way – as victims – feel the consequences of the order of the world system. A focus at those excluded reminds us that practical philosophy must never forget the body as the material foundation of the consciousness, and that brings forth a sense of matter as precisely the material basis in the form of a body, a sense of matter, which Dussel (1998a, 130-32) demonstrates, was also recognized by Marx.

It is with the body that we enjoy, but it is also with the body we feel the pain. It is with the body that I starve, get tired, am worn out, suffer and eventually go down because of economical and political inequality. It is bodies that every day must give up, when thousands of people in the third world die because of abuse, starvation, or illness. Even in our first world middle class centres it is with the body we feel stressed as a consequence of the anxiety produced by local managerial, ideological and economical pressure. The focus on the corporal materiality of the victims thus reminds us of something, which the proponents of discourse ethics seems to have forgotten, namely, as Dussel (1998a, 252) repeatedly emphasizes, the basic material concern of ethics, which is the preservation and development of the life of every single human subject. That, however, is far beyond the sense in which Habermas thinks of materiality in formulating U, and in order to get Dussel's line of thought right, we must therefore pause to consider the concept of matter a little more closely.

VI. MATTER MUST BE UNDERSTOOD IN AT LEAST THREE SENSES

As indicated matter can be understood in more than one sense, and Dussel wants to employ a least three of them. In mainstream practical philosophy "matter" first of all can mean *subject matter* or *content*, and in this sense matter is opposed to form in formalistic conceptions of morals philosophy such as discourse ethics. In this tendency discourse ethics is simply continuing the liberal enlightenment ambition of Kant. As content matter can signify specific happiness, human rights, conceptions of human dignity or ideals of human interaction as for instance friendship, care etc. In the vocabulary of modern philosophical ethics matter concerns the 'thick' conceptions of the good life, whereas form focuses on 'thin' conceptions of norms, which aims at universal validity. For both Apel

(1987, 178) and Habermas (1983, 132) it is very important to underline that discourse ethics does not side with any particular or substantial ethical conceptions of the good life, and one therefore also express the distinction by saying that matter concerns the good, whereas form concerns the right. Habermas seems to accept the understanding of matter as content, and Dussel (Dussel 1998a, 187) does it explicitly. It was this understanding of matter that was presupposed in the critique of discourse ethics mentioned above in paragraph 3, namely that discourse ethics presupposes mutual recognition of personal dignity.

Second, Dussel of course recognizes the metaphysical understanding of matter as just something material, i.e. something physical. Dussel refers to a distinction in German between “material” with an “a” and “materiel” with an “e”, where the first one signifies *content* as opposed to *formality*, whereas the second signifies something physical as opposed to something mental or spiritual. One of the reasons why Dussel (1998a, 130-32) considers Marx important for the conceptual development of the ethics of liberation is precisely that he understands Marx’s materialism as an ethics of content, as saying something substantial about the good life. The point is here that the dialectical materialism of Engels, Stalin and generations of orthodox communists refers to matter in the second sense, the metaphysical or ontological sense (see Dussel 1998a, 621-22). So when Apel claims that Marxism as such must be given up, Dussel simply answers that Apel has overtaken a “standard Marxism” (2005a, 231), that is, a simplified and reductionist understanding of Marx (see Piñero 2005, 37). Instead, Marx should be read as an ethical critic of capitalism (Dussel 1998a, 315, n. 63.), and that makes Marx important for the ethics of liberation.

It is worth noting, however, that the ontological sense of matter can be distinguished in at least two senses, namely a mechanical understanding, which takes physics as the model, and an organic sense, which refers to biology. Matter can thus be considered both dead and alive, and Dussel will of course stick to the latter sense, whereas at least some orthodox communist would be mechanical. This, however, only becomes clear, when matter is understood in a third sense. As mentioned above Dussel underlines that ethics must contribute to the preservation and development of the life of every single human subject, and this he considers the basic material core of ethics. It is ethical content, substantial in the sense just mentioned, but it is also material in that way that the aim, i.e. its *telos*, is practically to preserve and develop the life of individual human beings. It is this specification of the matter of ethics that Dussel (2005b, 344-47) considers the universal material aspect of ethics. Within the discourse ethical framework Wellmer distinguishes clearly between intersubjective validity and objective truth. By employing this distinction Dussel can state that he is not just maintaining the ambition of formal universal validity, when it comes to morality; he also wants to argue for a materialistic ethics, which is universally true (1998a, 202-5).

In his formulation of the U-sentence Habermas is acknowledging the ethical importance of matter as content as well as human practice, namely by pointing to how acceptance of norms should depend on the interests of those affected and on the effects

of human interaction. By further restricting the validity of discourse ethics to certain life forms, he also implicitly acknowledges the importance of matter in its practical aspect. Dussel, however, wants to make this more explicit, first of all by reminding of the economical sense of matter, that is, that human practice involves both production and reproduction, which both require material resources. Matter in its practical aspect therefore involves an understanding and critique of capitalist economy, which was what Marx gave us. This understanding of matter, however, presupposes valuing matter in an even more basic sense, namely in terms of preserving and developing the human life of every individual human being. It is precisely here that the third sense of matter emerges in its most complete form, namely when Dussel remind us that a human life is not just organic or biological, that is, it is not just ontological in the reductionist sense. Human life is specifically human, and that means a life, which must include the practice of politics, economy, and culture at large. This is the sense of matter that I presupposed in the interpretation of the classical paradox of the Cretians in paragraph 4. One can say that in this understanding of matter the two first senses merge, since to Dussel culture, history and economy is living matter bestowed with meaning, and in that sense matter can be referred to in a transcendental argument concerning the foundation of ethics.

VII. THE NEGLIGENCE OF MATTER IN DISCOURSE ETHICS IS IDEOLOGICAL

According to the critique of Dussel, discourse ethics then does not reflect sufficiently on the material aspect of ethics. As ethics it is lacking an understanding of matter and materiality in all of the senses mentioned, i.e. lacking understanding of the importance for ethics of the content, the living body and the human history, culture, and economy. In order to back up these claims, in addition to Levinas and Marx Dussel also refers to the teachers of Habermas, Horkheimer and Adorno, who Dussel (2008, 296-98) recognizes as having a good understanding of the conditions and realities of human suffering, that is, beyond mere bodily pain.

As indicated in the first sections, Dussel considers the omissions of Apel and Habermas in relation to ethics with respect to matter to be ideological. Overlooking such obvious aspects of ethics is only possible, because western middleclass in its daily life has put such a distance to material needs and suffering that they do not seem urgent. Dussel (1998a, 188) acknowledges to have learned a lot from the young Habermas, but as a privileged contributor to the ruling discourse the mature Habermas is no longer able to take the position as standing beside the victim. Even though the mature Habermas has a better understanding of the material aspect of ethics than Apel, he is not critical in Dussel's sense, which Dussel finds demonstrated by the lack of criticism of capitalism in discourse ethics (1998a, 200). In contrast Dussel makes clear that the ethics of liberation is basically critical by always standing beside the victims, and that it aims at a transformation of society; but he also makes clear that this transformation does not have to be revolutionary (1997, 22; 2005b, 340).

What is important for Dussel, however, is not just that Habermas' discourse ethics should be criticised morally, ethically and politically. Habermas' loss of marginality means that he has lost the privileged access to knowledge of the material conditions of the excluded, which he was still able to uphold in *Theorie und Praxis*. Habermas' negligence can thus be explained as a symptom of the material changes in his own personal life-world. To continue the Biblical metaphor mentioned above, one could say that over the years his eyes have become infected by small specks to such a degree that it has in all likelihood affected his way of experiencing and thinking about ethics, making it ideological in the sense mentioned in the first paragraphs.

Now, however, we are in a position to indicate that discourse ethics is ideological in the even stronger sense than the one mentioned above, namely by maintaining the focus of attention on non-material matters, in spite of the very material reality of the victims of global capitalism. What we see is an insistence on restricting the discussions on justice in philosophical ethics to universality and formal criteria for rightness,⁵ functions as the culture industry does for Adorno. Discourse ethics fills our heads with formal matters that appear to be the answer to our idealist aspirations, but in reality it just consumes the mental attention and corporal energy that we materially have at our disposal. Discourse ethics proclaims to be universally valid, but, as mentioned above, Habermas himself seems to admit that in reality it is only of a very limited validity, namely for those lucky enough to be participating in highly rationalized life-forms, and such life-forms are at a global scale the privilege of a very small minority. In sum, discourse ethics can make us aware of shortcomings within our own communities, and this is important for the continued development of our substantial values; but it also tends to make us in the centre negligent for the material sufferings in the periphery. And when we are the beneficiaries of the current global order, such negligence makes us even less inclined to fight for justice on behalf of the victims of this order, and then when we continue this intellectual strategy, we are not just negligent, but actually accomplices. Discourse ethics can thus be said to be ideological in the strong sense of being in the interest of those, who benefits from the existing distributional and political inequalities.

VIII. IT IS THE INTRUSION OF THE OTHER THAT MAKES ME SIDE WITH THE VICTIM IN ETHICS

Thus for Dussel the focus on matter plays an important part in the critique that reveals discourse ethics to be ideological in the very strong sense. Now we come to the last part, namely that the better understanding of matter also benefits the philosophical understanding of ethics and morality as such. What I am thinking at is Dussel's insistence on the corporality of the victims, which brings forth another aspect of ethics than thinking of matter just as condition or resource for normative assessment and action. It is one thing

5] A current example of this strategy can be seen in Forst 2009.

to be the subject, who performs an action; it is quite another thing to be object for an action performed. The ethical assessment of an action is different depending on the role you play, active or passive, actor or victim, or whether you take a first person or second person perspective; and the point is that this difference cannot be abolished just because one attempts to achieve impartiality by taking a third person perspective, i.e. by acting as just a witness to an action, taking the view from nowhere, or placing oneself behind the veil of ignorance, as it has been famously put.

As mainstream philosophical ethics discourse ethics presupposes freedom of action and is therefore on the active side of a relationship, and the perspective is first person, even though it is sometimes disguised behind third person ways of expression. Dussel too wants think as an active citizen, but his interpretation of doing critical science means that he constantly reminds us that there is always another side of the action; whenever there is a first person, there is a second person. The basic human relation is an I-thou relation, as it has just as famously been expressed by a religiously committed thinker like Martin Buber (1923), and such a relation can never be one of equality. In this aspect of ethics, however, Dussel (1998a, 255-58) takes mainstream sociology as his point of departure, namely in a critique of the classical analysis of Talcot Parsons of the relationship of double contingency between *ego* and *alter ego*, which has recently been given a renewed prominence by the system theory of Niklas Luhmann. The point is here precisely that even though Luhmann quite clearly can point to the strained relation between the individual and the social system, neither the first person perspective of strategically calculating what the other will do, nor the objectified third person perspective can account for "the intrusion of the alterity of the Other" (257), i.e. the emergence of the Other as another autonomous subject critical of the social system.

According to Dussel, who in this aspect follows Levinas, ethics means that I have the responsibility to stand on the side of the victims, and that again means that I must take the perspective of those, who are the passive recipients of the consequences of my own actions. When I do something, I must always try to imagine the consequences as experienced from your perspective. In the vocabulary of Levinas Dussel presupposes that a 'totality' always has an 'exteriority', i.e. that any kind of orderly action always will imply victims, and being ethical means that one must stand up for such victims. Such an ethical perspective, however, is very difficult to reconcile with the active perspective of ethics aiming at political institutions, which are supposed to include everybody as equals, but which, in the eyes of Levinas and Dussel, nevertheless always will imply some elements of material constraint and force.

For Dussel ethics basically must take side for the victim. The material universal implied by ethics is to preserve and develop the life of every human subject, and since those affected, i.e. the victims, are always the majority in relations to the actors, taking ethics seriously in its universality implies standing up for the victim. So because the world will never be ideal, ethics implies a responsibility, similar to what Apel says of the ethics of responsibility. The difference is that for Apel this is supposed to be something only

temporary, which can be dealt with in part B as the application of ethics (Piñero 2005, 43), whereas Dussel considers this situation permanent and therefore wants to include it in part A, the foundation of ethics. So for Dussel inequality is ontological for the human way of being and ethics is precisely brought into being to deal with this condition, whereas Apel thinks that ethics logically and thus counterfactually must presuppose equality in order to be ethics at all.

Discourse ethics is, according to Apel (1988, 9), about the possibility to establish universal validity for moral norms, and that is supposed to happen through a process, where the real community of communication approaches the ideals of the ideal community of communication. What makes the case of Dussel different is that the insistence on standing beside the victims is considered part of ethics proper, not just a psychological motive or a material precondition for ethics. In mainstream philosophical ethics, including discourse ethics, ethics as such only begins, when we have made our claims and want to give reasons for them. The model is a group of free citizens gathered at the assembly, who are able to discuss and chose between alternatives. Such citizens want to choose the right alternative in a more general sense than what is good just for an individual by her- or himself. The discussion might of course take place within ones own consciousness as conscience reminds us about our responsibilities, but that does not change the model; remember the classical illustration of moral scruples as a devil that discusses with an angel.

IX. DUSSEL'S WAY OF DOING ETHICS IS A NECESSARY SUPPLEMENT TO MAINSTREAM ETHICS

As it should be clear by now, Dussel's way of doing ethics is different. For Dussel ethics has already begun, when we strive to stand beside the victim. This much more basic ethical drive can be considered the material or ontological basis for social relations as such. It is feelings such as pity, solidarity, love, or, when it is a little bit more articulated, conscience. The point to be made here is that this is the way of doing ethics that the victims are most likely to benefit from in practice, either simply from the ethical urge of those, who have the resources to be active, or by the appeal that Levinas has become famous for, but which can also be found in, for instance, Sartre' writings on ethics (1983[1947-48], 285-88; see Rendtorff 1993, 69-71). Apel recognizes the question of appeal as ethically relevant, but it is in quite a different sense (see Piñero 2005, 32). The basic conflict between Dussel and Apel is that even though they both are engaged ethically in doing philosophical ethics, and even though such an engagement is also acknowledged as philosophically relevant by mainstream philosophical ethics, including discourse ethics, to Dussel the ordinary way of being ethically engaged in doing ethics philosophically is simply not ethical enough.

The point is simply that there is a huge difference in the conceptions of ethics between, on the one side, mainstream philosophical ethics and discourse ethics, and, on the other, the ethics of Levinas and Dussel, which acknowledges an understanding of human relations mainly emphasized by various types of theology. Dussel is aware of these

differences in perspective, which to him reveals themselves as between an ethics, which as politics takes the perspective of those who can act, and an ethics, which primarily demonstrates the solidarity with those who cannot act, but can only wait to see what happens, when the others act. He actually makes this difference constitutive for both the structure of his ethics and his history of political philosophy (1998a, 207; 2007, 71-72), and as it is most often the case, the two sides of the distinction are not on the same level.⁶ The point is that what makes something right in a more general sense than just good for me, is precisely the ability of the actor to take the perspective of the other, of the victim of ones own actions. Ethics is practical, related to things that could be different, holding actions, which are goals in themselves in high esteem, and this means that ethics must have some consideration concerning matter. So no matter whether one argues transcendently, ontologically, or materially, the ethics of discourse and most other mainstream philosophical ethics presuppose the ethics of the kind that Dussel presents us with. In that sense Dussel is right and gains the upper hand.

This upper hand, however, still is not conclusive. Realizing the material basis of ethics does not offer much help to decide, when we are in the active role. It only gives us some universal, but still minimal constraints on the alternatives, between which we can chose. It helps us rule out unacceptable alternatives; it does not seem equally convincing, when we want to find the best alternative among those acceptable. So we must also go further, changing the victim's perspective into the citizen's – and this, I think, is actually what has happened with Dussel over the years. Apel has not changed his position during the dialogue, whereas Dussel has taken the opportunity to develop and refine his position (see Piñero 2005, 44). Dussel has developed his idea of ethics from just having the critical perspective based on the sufferings of a responsible, but passive human being in accordance with a traditional Christian and Jewish perspective to include also the active political perspective, which was the commonsensical precondition of the citizens of Athens in classical antiquity. Dussel has simply changed the perceptive of pity into an ambition to change the world and minimize the reason for pity. Greek ethics allows giving reasons for normatively guiding human life within a larger community, not just to protest against injustice, which is beyond human influence.

By his ethical critique of ideology Dussel reminds us that in the centres of the centre of the world system, where we live – that is, where we live together with Apel and Habermas – we are only rarely confronted materially with the perspective of the victim, the starving, the orphan, the widow etc. But these are perspectives that Dussel is confronted with every day, when transporting himself between his private home and his university department in Mexico City. Dussel is right in reminding us that universality in ethics must never just be considered in terms of formal validity; when it comes to the truth of the matter,

6] Although this point should be a commonplace after having been made forcefully by Derrida in several writings (e.g. 1968, 128), when writing philosophy in English it is still worth mentioning both the point itself and the reference. In the English speaking world the understanding of Derrida is often polemical and based on stereotypes (see Critchley 1998, 6-9).

universality has a material aspect in another sense, namely the human life of every actual individual. Ethics must never forget this, not even in its most philosophical or political arguments.⁷

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