

### Rereading Jürgen Habermas' "Strukturwandel der Öffentlichkeit"

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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:

Verlag Barbara Budrich

#### Empfohlene Zitierung / Suggested Citation:

Løvlie, L. (2001). Rereading Jürgen Habermas' "Strukturwandel der Öffentlichkeit". *Zeitschrift für qualitative Bildungs-, Beratungs- und Sozialforschung*, 2(2), 223-240. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-280051>

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Lars Løvlie

## Rereading Jürgen Habermas' „Strukturwandel der Öffentlichkeit“

### Zusammenfassung

Dieser Beitrag gibt zunächst einen kurzen Überblick über Jürgen Habermas' Buch *Strukturwandel der Öffentlichkeit*, das erstmals 1962 erschienen ist. In der Monographie wird die historische Entstehung der öffentlichen Sphäre als intellektueller Raum beschrieben, welcher durch die lesende und diskutierende Öffentlichkeit seit dem frühen 17. Jahrhundert geschaffen wurde. Zugleich rekonstruiert *Strukturwandel der Öffentlichkeit* aber auch eine Idealversion der öffentlichen Sphäre, vor deren Hintergrund die folgende Geschichte der Öffentlichkeit beurteilt werden kann. Der Verlauf der weiteren Geschichte der Öffentlichkeit, die mit der strukturellen Transformation der öffentlichen Sphäre im 20. Jahrhundert ihren Höhepunkt erlebte, wird von Habermas anhand dieser Folie als eine Geschichte des Niedergangs interpretiert. Ich werde mich mit dieser Darstellung auseinandersetzen und zu der ursprünglichen Frage von Habermas nach der Entstehung der Öffentlichkeit im Rahmen einer heutigen – postmodernen – Perspektive zurückkehren. Anhand zweier Beispiele (den Benettonanzeigen von Toscani und der Internetbuchhandlung Amazon.com), schlage ich vor, dass die öffentliche Sphäre weder durch den Staat noch durch den Markt zum Verschwinden gebracht wird, sondern dass sie immer wieder in traditionellen als auch in überraschend neuen Erscheinungsformen entsteht.

### Abstract

This article starts with a short review of Habermas' *Strukturwandel der Öffentlichkeit*, published in 1962. The book describes the historical birth of the public sphere as the intellectual space created by a reading and debating public from the early 18<sup>th</sup> century. The *Strukturwandel* reconstructs an idealised version of the public sphere as well, which functions as a benchmark for the judgement of the later history of the public sphere. The later history, which culminates in the structural transformation of the public sphere in the 20<sup>th</sup> century, the book generally presents as a story of decline. I take issue with that story, and want to return to Habermas' original question of the birth of the public, within the perspective of our own post-modern times. By way of two examples – Toscani's Benetton advertisements and the Amazon.com bookstore – I suggest that the public sphere is not eclipsed by the state and the market, but is regularly coming into being both in traditional and in more surprising settings.

In the next section I critique Habermas' rationalist pretensions for excluding abnormal or border rationalities, like gender. This is a critique that has been levelled against Habermas over the past two decades, and points to a lacunae in his theory of liberal democracy in general.

The third and last section takes up the question of the birth of the public sphere

Im zweiten Abschnitt kritisiere ich Habermas' Rationalitätsansprüche, da sie ungewöhnliche oder randständige Rationalitätsformen wie z.B. das Geschlecht ausschließen. Diese Kritik wird seit zwei Jahrzehnten gegenüber Habermas erhoben und verweist ganz allgemein auf einen Mangel in seiner Theorie einer liberalen Demokratie. Der dritte und letzte Abschnitt betrachtet die Frage nach dem Ursprung der öffentlichen Sphäre aus einer Perspektive, die sich von der Habermasschen unterscheidet. Hierbei geht es um die philosophische Frage nach der Freiheit, bevor diese in idealisierten Voraussetzungen, Kategorien des Vernünftigen oder Unvernünftigen oder im Verfahren des rationalen Diskurses institutionalisiert wurde. In dieser Perspektive bringt sich die Freiheit selbst in Erscheinung. Das traditionelle Konzept der Toleranz, welches ich eine Politik der Toleranz genannt habe, schließt an diese Vorstellung von Freiheit an. Diese Auffassung des Politischen unterscheidet sich sowohl von der Habermasschen Konzeption des Politischen als Versöhnung als auch von einer postmodernen Politik der Differenz, ohne diese beiden jedoch auszugrenzen.

in a perspective different from Habermas'. It raises the philosophical question of freedom before freedom has been institutionalised in idealised presuppositions, categories of reasonable and unreasonable, or in procedures of rational discourse. On this view freedom is its own birth or coming-into-presence. The traditional concept of toleration is latched on to this last idea of freedom in what I have called a politics of toleration. This politics is different both from a Habermasian politics of reconciliation and a postmodern politics of difference – without excluding them.

## 1. Closing the circle

Jürgen Habermas' *Strukturwandel der Öffentlichkeit* has become part of his ongoing quarrel or *Auseinandersetzung* with theoretical opponents on the questions of a liberal democracy over the past 40 years. Therefore the book should be read beyond its own context of the Sixties. To my mind only John Dewey has as consistently as Habermas argued for democracy as participation and communication. What Dewey did for the theory of a liberal democracy in the first part of the last century, Habermas did in the second part. They have both made it clear that a theory of democracy must be normative and open to the test of experimental or argumentative reasoning. A theory of liberal democracy exposes its own premises and practices to the litmus test of argumentation; and it is able to transform those premises and operate as an 'avenging force' in history, as Habermas himself has it (Habermas 1982:227). Since liberal democracy can only be sustained in a self-critical mode, the philosopher of democracy will cut a controversial figure in the contemporary debate over matters cultural, social and political.

Habermas' trajectory takes him from the *Strukturwandel* to the critique of instrumental action, which had its final expression in *Erkenntnis und Interesse* (1968). In the Seventies his thinking took the 'pragmatic turn', which culminated in the *Theorie des kommunikativen Handelns* (1981). In the Eighties he worked out the communicative theory of action as based on the quasi-transcendental suppositions of the ideal speech situation and the better argument, with consensus as the ideal limit of discourse. That decade also witnessed his critical and temperamental refutation of French deconstruction in *Der philosophische Diskurs der Moderne* (1985). The Nineties inaugurated a slight shift from a broad perspective of discourse ethics towards the theory of the constitutional state, that is, towards a political and juridical universalism. Even if the move narrowed the pretensions of his discourse ethics, ethics is kept as a fundamental part of his conception of legality. The themes of *Faktizität und Geltung* (1992) and the later political essays presented in *Die postnationale Konstellation* (1998) and *Die Einbeziehung des Anderen* (1999), close the circle with that of the *Strukturwandel*. What this early book treated in terms of the public sphere and its genesis, the latest books treat in terms of a constitutional state and a deliberative democracy that reproduces itself by rational discourse and negotiations.

### 1.1. Reinventing the public sphere

The *Strukturwandel* is a history of the public sphere from its birth in the late 17<sup>th</sup> century to postmodernity. It is a story that takes us from the literary discussions in German *Tischgesellschaften*, French *salons* and English coffee houses from around 1700 to the American talk shows of the Sixties. It is the story, too, of the decline and fall of the public sphere, of its progressive corrosion in the 20<sup>th</sup> century, under the influence of a state paternalism that makes the citizen into a client and a media world that makes her into a consumer of information or 'infotainment'. In the *Strukturwandel* the bourgeois public sphere is defined as the '[f]orum in which the private people, come together to form a public, readied themselves to compel public authority to legitimate itself before public opinion. The *publicum* developed into the public, the *subjectum* into the [reasoning] subject, the receiver of regulations from above into the ruling authorities' adversary'. (Habermas 1989:25f). The public sphere began as a family affair. It developed out of the private sphere of family production and commodity exchange, reading societies and voluntary associations that often met in private houses. The public nourished itself on the growing popularity of the novel, from Samuel Richardson's *Pamela* (1741) over Rousseau's *Julie, ou la Nouvelle Héloïse* (1761) to Goethe's *Werther* (1774). Its centre was the bourgeois *citoyen* or citizen, and the city became the space where his inner moral and intellectual life could be transformed into a public concern.

Richardson's life is exemplary of how private life and work as a printer and writer was connected with the public sphere. He was born the son of a joiner and apprenticed to a printer before he struck out on his own. As an independent craftsman he typically combined printing and publishing. He produced books,

journals, advertisements and posters. In due time he became famous for entertaining week-end guests at his modest 'country' house, with readings and literary parties – a prime example of how private life, hard work and cultural interests came together to form a literary public. *Pamela* started as a series of 'familial letters' on the concerns of everyday life – as a boy Richardson used to write letters for young lovers – and grew into a book after he was encouraged by his fellow printers to publish them. The novel became an important part of the self-education of the bourgeois reading public, and created the first popular link between private life and public interest.

Around the middle of the 18<sup>th</sup> century a general culture of reading thus came into being around the novel, fired by the theme of love rather than of political strife – the subtitle of Rousseau's *Julie* is 'Letters of two lovers who live in a small town at the foot of the Alps'. There is also the appearance of the two periodicals, *The Tatler* and *The Spectator*, which existed only for a short period around 1710, written and edited by Joseph Addison and Richard Steele. As old Oxford students, the two gentlemen used to begin their essays without a title but with a citation from Greek or Latin. These periodicals did not carry news, nor did they practice what we would call critical journalism. In a piece written in 1710, Steele indulges himself '[i]n the softnesses of humanity, and enjoy[s] that sweet anxiety which arises from the memory of past afflictions'.<sup>1</sup> These are pieces, not on politics, but on ordinary life, lifted into universal humanity by the sensibilities of a literary person. In this context we should not forget Jonathan Swift's satires, the Scottish moral philosopher Adam Ferguson's *An Essay on the History of Civil Society* (1767), the writings of the French *philosophes* and Rousseau, and von Humboldt on the *Grenzen der Wirksamkeit des Staates* (1792), even if that book had a rather limited public.

The rich and manifold publicity of the 18<sup>th</sup> century created a public sphere that functioned as the more or less informal network of people who broach themes, opinions and points of view in contexts of disagreement and public debates. These networks were substantiated in the voluntary associations of civil society, which formed their social and political substrate. Civil society typically consisted of voluntary non-profit associations, independent of state power and the market. It was not dominated by the paternalist prejudice that its citizens are not able to act on their own as responsible persons. And even if civil society was embedded in the private economic sphere, its use of reason was not economic but political in the classical sense of the term *polis*. Only in retrospect can we appreciate what the early makers of the public sphere brought into being: the institutions of objective, unprejudiced rational discussions based on knowledge and the personal conviction that truth should prevail between members of a just society. Those who were willing to engage in these 'democratic' practices were welcome to participate as equals rather than as members of a social class or estate. A moral interiority went along with exterior institutions like the debating society to form the practices that eventually made up the public sphere. It is of some importance to see the everyday beginnings of the public sphere in the more or less humdrum circumstances of a society of craftsmen, shopkeepers and men of letters. Richardson's career points to the intimate link between the book as a commodity and the spread of public reasoning in a world of exchange

and communication. 'Inasmuch as culture became a commodity and thus finally evolved into 'culture' in the specific sense (as something that pretends to exist merely for its own sake), it was claimed as the ready topic of a discussion through which an audience-oriented (*publikumsbezogen*) subjectivity communicated with itself.' (Habermas 1989:29). The bourgeois family values of interiority or *Innerlichkeit* that circulated in the expanding literary world combined with the values of labour and commodity exchange to open a public sphere. Work for profit went along with participation in practices that moved people towards a common ground of a humanity, and thus transcended their individual interests and prejudices in the institution of public reasoning.

## 1.2. The structural transformation of the public sphere

I have sketched the historical background that the *Strukturwandel* draws on in its description of the structural changes of the public sphere that took place in the 20<sup>th</sup> century. The story so far has been of the 'classical' enlightened public sphere, based on a reading public that is tied together by the bonds of intimacy, authenticity and public reasoning. The following story, which takes up the last part of the book, is about the decline and fall of the public. The decline takes place through a transformation of the relationship between the state and civil society. In this transformation, private corporate bodies start to take over public functions whilst on the other hand the state extends its authority over the private sector. As the state intervenes in the social sphere the boundaries between public and private dissolve: 'From the midst of the publicly relevant sphere of the civil society was formed a repoliticized social sphere in which state and societal institutions fused into a single functional complex that could no longer be differentiated according to criteria of public and private.' (Habermas 1989:148). The mixture of private interests and public authority serves to restrict the open space of free discussion, unencumbered by vested interests or political power. What is genuinely public does not survive in a welfare state that takes over the role of the family in legislation and the functions of civil society in politics. These include the classical risks of unemployment, accident, illness and old age, as well as education, care and guidance. This transformation, which lost the eye for truth- and justice-related discourses, takes place as the 'refeudalisation' of society by the modern welfare state.

In this process the reproductive tasks of the family are severely curtailed. The family cannot any longer foster the social spirit that came from books that were read by everyone who could read. The family retracts from its function as unit of social reproduction and labour, to one of leisure and consumption. The shift from a culture-debating (*kulturrässonierend*) to a culture-consuming public in the 20<sup>th</sup> century is accelerated by the mass media, which replace debates with talk shows, serious discourse with staged discussions, and public opinion with personal idiosyncracies. The public is now literally privatised, that is, de-prived of its basic function, which is to act as a critical and coordinating force in society. The literary public is barred from developing into a full-blown political public

because it is caught between two forces: power and money. The impression one gets from reading the last part of the *Strukturwandel* is that the critical and radical virtues created by a literary public was in the end pre-empted by the state and co-opted by the media market.

There are problems with this perspective. One problem is the conception in the book of a bourgeois, universalistic and inclusive reason that inadvertently turns out to be hegemonic, mono-cultural and thus exclusive. The objection is raised, particularly from 'feminist' writers<sup>2</sup>, that the theory excludes parts of the public sphere that are, on the face of it, particular, unreasonable and resist inclusion. A related problem is the idea of the public sphere as an arena for formal or 'pure' practices of truth-related discourse. This idea easily neglects ambiguous or mixed political expressions, which are easily dismissed as expressions of indifference or withdrawal, or as concessions to the hegemony of state power and moneyed interest. For obvious reasons the *Strukturwandel* could not take into consideration two all-important developments of late modern society: multiculturalism and the Internet. These developments, which have dominated the Nineties, have shed new light on problems that existed in original text. Even if the Internet is still a tool for those relatively few in the world who have access to the technology, it increases the range and speed of interactions between people who read and write and discuss. It has certainly contributed to the spread and publicity of civil society organisations. Despite the din and clamour of contemporary news media in our society, a wide public has now access to an unprecedented mass of political information, mediated by non-governmental organisations on the Internet, critical periodicals, broadsheet newspapers, letters to the editor and so forth. Surely, critical journalism is threatened, rational debate is tainted and impartial judgement may be hard to come by. But power and persuasion has been the problem of the public sphere before the coming of the electronic media.<sup>3</sup>

The outlook of the *Strukturwandel* does not include the fact that the reading public was greatly extended in the last century by an expanding school system and the growth of public libraries and museums, fed by books, magazines and cartoons, which in their different ways contributed to public and political discussions. Nor does it draw on the variety of genres in literature, drama, fashion and the fine arts as various forms of 'abnormal' discourse in the late 20<sup>th</sup> century. Habermas' vision is too purist to allow theoretically for this variety. His idea of a public sphere is a formal one, in principle devoted to epistemic argumentation, that is, a discourse directed at proposing and testing truth claims. Communication that falls short of this stricture also falls outside the pale of reasonable interaction. Habermas' particular view of the public sphere and its genesis is fundamentally determined by the reconstruction of an ideal public, which makes the *Strukturwandel* a hybrid between historical analysis and philosophical reconstruction. Already in the *Strukturwandel* we encounter the method that marks Habermas' authorship throughout: the reconstruction of the rational foundation for a liberal democratic society.

## 2. The ideal of a public sphere

There is a remarkable consistency over the years in Habermas' idea of a liberal democracy. The idea is of a liberal public with its basis in the ideas of mutual respect between equals, equal access to cultural and political discussions, and last but not least, the inclusion of all as possible participants in these democratic processes. In both the *Strukturwandel* and in the much later *Wahrheit und Rechtfertigung* (1999) the public sphere figures as a rational reconstruction of these ideal presumptions. This reconstruction is both a theoretical and philosophical reconstruction of the quasi-transcendental presuppositions of individuality and community. Its first aspect is autonomy in the Kantian sense of a subject that is free in the use of his own reason, and thus able to step out of his bondage to authority and power. The second aspect of rational reconstruction is the mutual recognition between subjects that make them refer to themselves by way of the other. The other makes the identity of the 'I' possible in the first place. In Habermas' scheme the social precedes the individual<sup>4</sup>, to the chagrin of the neo-liberalist, who see the agent's individual preference as the source of social action. His reconstruction embodies both the idea of a universalistic moral judgement, by which everybody judges in accordance with a common reason: and the idea of the mutual recognition that allows the self-respect of everybody to flourish in a community.

There is a third aspect, which integrates the dialectic of the 'I' and the 'we'. This is the process or rather procedure that actualises the two in a the formation of democratic understanding and will. It is the ideal of rational argumentation according to objectivity, critique and fair play, which takes place between persons who discuss theoretical, moral or political questions with the implicit possibility of reaching a consensus. The ideas of autonomous individuality (Kant) and mutual recognition (Hegel) are here transformed by the idea of a procedural reason that is developed by real people in real social situations of deliberation and argumentation. Reason is no longer an abstract, subjective principle, nor a self-actualising force in history, but a self-transformative force, embedded in the universal institution of concrete argumentative procedures. In the article 'Civil Society and the Constitutional State', Habermas sums up his view in this way: 'Instead of talking about a democratic society that relates to, observes and influences itself, such a political community ought to be described as an arrangement of institutionalised discourses'<sup>5</sup>. Here he talks about the public sphere in terms of a network of communication that connects the parliamentary system, political planning and implementation to the interactions and discussions of a wider political public.

The *Strukturwandel* tells us how the public sphere may operate under ideal rational conditions. These conditions act on the one hand as ideals, on the other hand as criteria for judging the virtues of a given political formation. The *Strukturwandel* was written well before these principles were worked out in detail as part of a theory of communicative action and a basis for deliberative democracy. But the idea of a communicative rationality appears here in an early shape. As Habermas puts it: 'Not that this idea of the public was actually realized in ear-

nest in the coffee houses, the *salons*, and the societies; but as an idea it had become institutionalized and thereby stated as an objective claim. If not realized it was at least consequential.' (Habermas 1989:36). It is this ideal view that makes the *Strukturwandel* a debatable book; debatable because it is written from a point of view that characteristically limits the public sphere to a specific rational practice. Habermas' conception of rationality also determines what falls within and what falls outside of the public sphere. The trouble with the public sphere as it is described in the *Strukturwandel* is a direct consequence of this ideal reconstruction, which cancels out the aspects of the public sphere that does not own up to specific presupposition of rationality.

The *Strukturwandel* constructs the ideal from three aspects of the public sphere as it appeared across Europe in the 18<sup>th</sup> century. First of all, there was a disregard of wealth, power and prestige within reading and debating societies. People came together sharing a common interest in philosophical, literary and political questions, under the parity of a common humanity – *das bloss Menschliche*. Their discussions were educative in the sense that they confirmed the mutual recognition between persons with a common concern. This is the aspect of *equality*. Here equality is taken in the very general sense of sharing a common mental space and pursuing common intellectual ends. Second, these institutions produced knowledge, information and criticisms that could challenge the authority of the church and the state. Their products – philosophical and literary works – created a market for cultural commodities. The public that was formed had no traditional authority behind it, apart from the general respect for knowledge, understanding and intellectual integrity. By widening the circles of intellectual exchange, the public achieved its relative autonomy by its own force and effort – a public space of autonomous persons who were engaged in reading and discussions. This is the aspect of *autonomy*. Third, by creating a universal market for discussion, the public established itself as inclusive. The idea of a common humanity made it possible to think of the general access of everybody to discussions, under the expectation that every person was potentially able to participate. This is the aspect of *inclusiveness*, which, as we shall see, raises particular problems.

## 2.1. The Toscani effect

In the next section my point of view is that the public sphere, as characterised by the spirit of equality, autonomy and inclusiveness, is embedded in a culture shot through with the hybrid, abnormal and multifaceted, and that the distinctions between civil society, the state, and the market often fail to describe the social reality we are part of. The postmodern is a muddled world, not necessary more muddled than the 18<sup>th</sup> century, but certainly differently muddled. In this picture the thesis about the decline and fall of the public sphere is too smooth and general. Habermas' reconstruction tends to blend out the hybrid aspects of the public. It misses what, on his own account, is the essence of the early public sphere: that it is always coming into being and also comes in surprising ways. It

seems we have to look into the nooks and crannies of postmodern society in order to see how the public sphere reproduces itself in different constellations, despite the inclination to declare it dead and defunct.

The bad news for the future of the public sphere is, of course, all over the screen. There is no doubt about that. Consider the possible shrinking of a well informed reading public, the tabloidisation of the press, and the quasi-discussion programmes on TV, which are agonistically pitting politicians in a fight for scoring on the popularity ratings, artists peddling their works, and academics trying to reason in 'bits' without really succeeding. And to top it all, now we have got reality-TV, all of which have driven *Die Zeit* to flashing a call against stupidity on its current Internet homepage. When the health of the public space is judged by the spread of the tabloid media, the prospects of civil society may seem bleak. But if we stop idealising the time when a bourgeois reading public defined the public virtues; if we stop seeing those virtues only in terms of universal reason; and if we drop the hegemony of truth-related argumentation, other theoretical paths offer themselves.

Let me start by suggesting two cases in which the public surprisingly appears in the context of family and social concern, of commodity exchange and public expression. They are about advertising and booksellers, or to be more precise, about Oliviero Toscani's famous advertisements for Benetton and about Amazon.com, the worldwide Internet bookstore. As part of Benetton's branding campaign during the Nineties, Toscani took photographs of refugees in Africa, Italian parents at the bedside of a son dying from AIDS and of black American convicts on Death Row. The photographs are of real life situations dramatised in pieces of photographic art. On the face of it they appear as provocative comments on contemporary social and political issues, just like any critical documentary. But here is the nub: Toscani's photographs are part of the marketing of a brand name in fashion wear – Benetton. Human tragedy juxtaposed with marketing! All of a sudden the photographs rub against the spectator's sensibilities. They abuse real life and trades on personal tragedy. The Italian family is deprived of its dignity, the convicts are commercially exploited and our sympathy for them is shattered in a strange denial of the whole setting created by Toscani. There is, first of all, the feeling not so much of being deceived by the advertisement as of being the forced accomplice in the corruption of social reality. The photographs create a painful emotional dissonance by engaging our empathy and make us feel cynically used. The viewer is untied from the human message of the image and tied up with the machinations of a provocateur photographer.

But there is another aspect of the case. Toscani's images not only show how art photography stops representing reality and turns into a vehicle for artistic imagination and persuasion. They show how photography has taken the further step of juxtaposing artistic value and market value. Whilst artistic value traditionally has had its ground in more or less contested interpretations of culture, market value is related to what works in the way of buying and selling. There is a shift from interpretation to persuasion, from critical judgement to consumer satisfaction. The instrumentalist intentions override that of the cultivation of the mind. It seems that the market value scorns the fundamental feature of a political *Bildung*. Yet the photographs are slyly educative. They provoke by the

implied confrontation between a commercial intention and a moral reality, by contrasting the life of the marketplace with that of moral life, and by contrasting the ephemeral and the essential. There is cultivation at play here, but it is indirect. The irony of Toscani's ads is that the images of death shatter the complacency of the consumer's gaze. One is reminded of the classical *vanitas* motif that used to foreshadow the reality of death, in the traditional still-lives of the Spanish and Dutch painters of the 17<sup>th</sup> century. In these pictures are inserted a number of paraphernalia, among them utensils, accessories and the ubiquitous *memento mori*, remember-death items, typically the hourglass and the skull. The hourglass typically alludes to the passing of time and to the frailty of human existence, the skull to Final Judgement and possible resurrection and salvation. The photography has, of course, forfeited the virtues of the still-life. Toscani's photographs rather brutally call to mind the reality of death, the ravages of epidemic illness and the stark reality of AIDS in contemporary society. What might be called the Toscani effect goes beyond marketing. The satisfactions of the market suddenly mix with the cult of death, from the grief at the bedside to the *memento mori* of the still-life and the farewell scenes depicted on classical Greek tombstones. Tombstones, still-lives and photographs! Advertisement, branding and profit! How to choose between these worlds? Wrong question! Toscani trades on historical expressions of death and existential contemplation. At the same time he puts the viewer in a state of cognitive dissonance and existential conflict. The interpretation of his pictures is suspended, ambiguous and undecided. Interpretation emerges as the cracks in the world. From these cracks are born fresh expressions of personal and public concern, topics that have been and still are part of the public sphere. Toscani's ads contribute to a public sphere that is not established as such, but repeatedly insinuates itself in different and surprising contexts. The Toscani effect is an example of the undecidability from which the public sphere emerges.<sup>6</sup>

## 2.2. The virtual public sphere

To my second example. Over the last decade the World Wide Web, the e-mail and the mobile phone has created a new virtual public sphere. Consider Amazon.com, the virtual bookstore. Apart from doing business by selling books cheaper than traditional bookstores, it has, over the past few years, grown into a virtual reading and discussion society, too. Apart from listing its books for sale, it started to tell its customers which additional books were preferred by other customers; part an invitation to buy more books, part information that there are other readers with similar interests 'out there'. Amazon.com has, for all practical purposes, made the move towards creating a virtual reading society. Today Amazon.com offers not only customer's ratings of books, but customer's reviews and editor's reviews as well. As a customer you are invited to write a review, or to e-mail a friend about a book that you fancy, or even enter a used books market. The Amazon.com bookstore is, in distinction to book clubs, inherently interactive. On the Internet the reading societies of the 18<sup>th</sup> century have been given a new lease on life. They are given a start, not unlike the traditional one, in

which people begin to educate themselves by informal association with like-minded people. In a surprising way virtual reading and debating groups perfectly fit Habermas' three characteristic of the public sphere: equality, autonomy and inclusiveness.

The literary public of the 18<sup>th</sup> century, then, is not defunct; it lives and thrives on the Internet. Anybody can enter Amazon.com or a chat forum on the Internet without having any formal credentials. You may be poor on Kant's philosophy, an amateur on classical music, and only a novice in political thinking. If you are interested, there is nothing to prevent you from partaking in the virtual public sphere. If a person can handle the keyboard and the software, and has the necessary social skills and the wit that goes with literary discussions, she is a qualified member. Surely, qualification is not the same as equality. Yet the ideal of equality can only be entertained in a society that judge people according to their imputed qualifications as members of that society, which makes for inclusiveness.<sup>7</sup> The Amazon.com literary sphere is not like a local reading circle or even a newspaper or magazine with its limited readership. As measured by electronic speed and global scope, it is all-inclusive. It is part of a worldwide reading public that consolidates itself as a public and thus establishes its autonomy. The commodity that is sold on Amazon.com is not only books, but ideas, practices and individual skills. A business venture like Amazon.com thus realises a public that was unthinkable only a few years ago. Amazon.com is only one example of how economic and cultural interests combine to remake and revitalise the public sphere.

### 2.3. Border rationalities

I have used examples from advertising and the Internet to suggest that the picture of today's public sphere is mixed, multiple and hybrid, or what you prefer to call it. This world is not easily given to idealisations. That brings me back to the problem of Habermas' two-tier description of the public sphere, that is, its real history and its idealisation. I will try and show how this partition, for all its virtues, does not succeed philosophically. The problem is the narrow definition of rationality, first as institutional, that is, mediated by language, work and interaction, second as procedural, that is, controlled by the validation of truth claims, and third as limited to a civil society independent of state power and moneyed interest. One way to connect the real and ideal public sphere seems to be the following. We make a distinction between the real and the rational world and make the public sphere into two parts. One part is the hybrid and manufacted; the other is controlled by the consistent procedures of rational discourse and negotiation. Within the first realm we have no serious rationality pretensions, in the other we are epistemically committed to argumentation and validation procedures by persons of a sound mind or characterised as *zurechnungsfähige*. This is fine as it goes, but it does not solve our problem. Habermas' conception of the public sphere is the victim of a disjunctive logic that splits the social sphere in 'reasonable pluralism' on the one hand and 'unreasonable pluralism' on the

other (Callan 1997:22)<sup>8</sup>. In this rationalist scheme there is little tolerance for the mixed expressions of rationality that we regularly meet in the everyday world. The distinction that is drawn between reason and unreason bars us from seeing the ambiguous events in the Benetton ads as part of an emergent public sphere.

The distinction creates a bottom-up problem. When does a social event cross the threshold of rational discourse? The dichotomy also creates a top-down problem. How can the outcome of felicitous rational argumentation be fed back into the life-world from whence it got its impetus? There seems to be no logical link from the moral or political conclusions reached by reasonable argumentation to their application in everyday life. This logical gap forced Habermas at one point to insert a secondary *ad hoc* application discourse – *Anwendungsdiskurs* – that should bridge the gap between the rational argumentation of the *Be gründungsdiskurs* and the nitty-gritty realities of the everyday world. The rescue operation failed because the application discourse only repeated the criteria that determined the rationality of the first. As Habermas himself conceded, the application discourse was just another version of the ‘pure cognitive business’ of procedural reason. (Habermas 1991:114). In other words, the problem of procedural reason is solved by more of the same, which only repeats the problem we had in the first place.

This theoretical quarrel is not primarily one that the rationalist has with adverse or competing positions, like communitarianism or deconstruction. It points to a problem within the rationalist position itself. Logically the problem is about the self-imposed limits of rational procedures; theoretically it restricts the life of the public sphere by passing over the ambiguities, ironies and expressiveness of people who are publicly engaged. In order to save civil society for rational discussion and debate, the rationalist cleans the public sphere of its crude motives, rough methods and raucous language. But what seems to be irrational actions and a-rational measures may not only initiate rational solutions to public problems. They may act as pro-rational beginnings of a public sphere that reproduces itself by new beginnings. In the early Eighties sit-down protests against the violation of Sami minority rights in Norway lead to massive confrontation with the police. In the aftermath measures were taken to create a national Sami Parliament. The Sami culture is now protected by constitutional rights. Another controversial example is the recent demonstrations against corporate capitalism and big government, which spectacularly entered the scene in Seattle in 1999, with a reported number of 40 000 demonstrators recruited from free association and labour unions alike. The last mass demonstration in connection with the EU summit in Sweden in the spring of 2001 gathered a reported 20 000 people. It was exploited by extremists and badly handled by the police, which typically made the media miss the fact that at least 98 % of the people gathering in Gothenburg were peaceful demonstrators with articulated political views and responsibilities. The downside with a cognitive theory of rational action is that it may overlook legitimate protest actions because these happenings do not satisfy criteria of rational discussion and deliberation. The theory does not in principle tolerate mixed or border rationalities.

## 2.4. Exclusive reason(s)

I have suggested that border rationalities, which have their place outside argumentative discourse and are expressed in new shapes in the real and the virtual world, may issue in rational action. Yet they may be put aside as the excluded other, which historically have been represented by the non-proprietary, women, homosexuals and now those who demonstrate against global capitalism in the streets. The gender issue is a case in point. Habermas has been roundly criticised for neglecting the gender issue, both in the *Strukturwandel* and in later writings. The gender blindness of Habermas' theory is systematic. A discussion started in 1982 with Carol Gilligan's book *In a Different Voice*. The book was not directed at Habermas, but at Lawrence Kohlberg's theory of moral development (Kohlberg 1981). The book took issue with Kohlberg's ranking of Kantian universalism, as modelled on the categorical imperative, as the 6<sup>th</sup> and highest stage in children's moral development. Gilligan argued that the 3<sup>rd</sup> stage, that of the 'good girl' attitude, described the way women as a group actually solved moral quandaries. She tried to show how Kohlberg's hegemonic notion of moral functioning not only down-rated women's ethical thinking; it also excluded one half of humanity from the group of fully functioning moral persons. The subsequent critique of Habermas' gender blindness by women writers in the Nineties points to a continuing lacuna: a theory of communicative action that paradoxically excludes by its own principle of inclusion. It thus defeats one of the idealised pillars of the public sphere that is found in the *Strukturwandel*. More than any other issue, the gender quarrel shows how a universalistic position can only be defended today as a particular position.<sup>9</sup>

It is worth noting another limit of Habermas' liberal democratic rationality. Its idea of rationality is indebted to the notion of the subject as a person that accepts a law of its own making and thus confirms its own sovereign identity. This proposition may sound exaggerated, especially after I have drawn attention to Habermas' defence of intersubjectivity as mediated by the institutions of work, language and interaction. But let me pursue the theme, if only to broach a problematic that suggests an alternative to an exclusive rationalism. Let me start with *centredness*, or rather the place of the other in centredness. As already mentioned, Habermas joins individual autonomy and inclusiveness in the concept of intersubjectivity. Rational discourse assures everyone's impartial judgement of common norms. 'That demands a *decentring* of one's own understanding of self and the world by the mutual consideration of *the perspectives* of all the other participants'. (Habermas 1999:193). Intersubjectivity is here described as the capability of an individual to put him or herself in the shoes of the other. The 'inter' of subjectivity combines an 'I' that confirms its identity by partaking in the 'we' that issue from the mutual recognition between individuals.

The term *decenter*, however, invariably invokes a centre from which the individual decentres, or takes his or her perspective on the other. The initiative and the movement in this act issue from a self that takes the other's point of view from its own perspective. But taking the other's point of view by decentring or by cognitive empathy may involve keeping and even confirming one's own point of view. Against this imputed solipsism it may be argued that there are not one but two mutually decentring subjects who meet in intersubjectivity. But this move does not avoid subject-centredness. Egocentrism is difficult to beat even under the best of circumstances, as every psychologist knows. It often imposes a 'theorising' or explaining of the other, not to mention the problem of transference in the relation between client and therapist. In Habermas' scheme reconciliation is part of a logic, or rather dialectic that in the end assures what has been implicit from the beginning, which is the sovereign subject that identifies itself as autonomous in discursive rationality. A transformed version of Kant's critical and Hegel's idealist philosophy still

holds on to a concept of rationality that is universalistic in thought and therefore exclusive in practice. This logic has repercussions both in the political and the cultural field. As Charles Taylor argues, what is universal and thus difference-blind, turns out to be '[i]n fact a reflection of one hegemonic culture. As it turns out, then, only the minority or suppressed cultures are being forced to take an alien form. So the supposedly fair and difference-blind society is not only inhuman (because suppressing identities) but also, in a subtle and unconscious way, itself highly discriminatory.' (Taylor 1995:236f). Taylor thinks that this is a cruel argument against communicative rationality. But writers who press the gender issue have persuasively established a link between gendered rationality and discriminatory practices.<sup>10</sup> The logic of discourse ethics and the politics of inclusion issue in the exclusion of unreasonable pluralism.

### 3. The problem of toleration

In *Creating Citizens* Eamon Callan asks: 'How should we respond politically to the continued social presence of unreasonable pluralism?' And he answers: 'This is the problem of *toleration*.' (Callan 1995:22). His distinction between reasonable pluralism and unreasonable pluralism chimes with the logic of Habermas' rational discourse. But there is a difference. Habermas thinks in terms of political consensus, Callan in terms of political toleration. Habermas' push is towards inclusion and assimilation. Callan thinks we have to cope with unreasonable pluralism by way of toleration, defined as the freedom from coercion by the majority of reasonable pluralists. He is ready to accept difference as unavoidable and so opts for toleration. But Habermas ends in Callan's position by default. Since reasoning is restricted to rational agreement, those who do not partake in rational discourse have to be tolerated. Toleration, then, is to allow differences of opinion and practice without discrimination. Now imagine that there are ways of living that a person cannot understand and respect as a valuable life; that there are cultural practices that he or she cannot condone, cannot partake in and cannot be reconciled to. This is multicultural society, and here is where toleration comes in. Toleration does not head towards reconciliation as the ideal limit of cultural interaction. Toleration is to leave the other as other, that is, as different without any evaluative efforts to rank the other as better or worse on a cultural scale. Toleration shies away from a politics of assimilation, the idea that the other can only be tolerated if he or she becomes one of us, in the way they speak, dress and comport themselves.

Toleration is particularly suspicious of the voice of the majority, which, as John Stuart Mill observed in *On Liberty*, easily turns into the tyranny of the majority: '[t]here needs protection also against the tyranny of prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them.' (Mill 1991:26). Toleration is to allow the other to live his or her lives, even if one abhors it, dislikes it or just feel alienated from it. But toleration is not indifferent to cultural multiplicity. Toleration is toleration of difference, it is difference conscious, as it were. Toleration in the sense of a cultural and political practice further depends on *tolerance*, that is, the psychological capacity to sustain cognitive dissonance and lack of closure. Tolerance is the personal attitude that takes cultural differences as part of a world that does not come together or conforms to the ways he or she expects.

### 3.1. The birth of the public sphere

In the *Strukturwandel* Habermas has told the story of the coming-into-being of the public sphere. I have argued that the story is determined by an idealised conception of the public sphere in terms of equality, autonomy and inclusiveness. His description of the decline and fall of the public sphere in the second part of the book is not accidental, but intimately tied up with these presuppositions. I find the question of the birth of the public sphere more important and promising than the question of its decline. Now, if we are interested in the birth of the public, we must ask the question of its coming into being before any rational reconstruction of an ideal public sphere, and before rational procedures for solving theoretical and practical disagreement. I suggest that we start with freedom, which vibrates through all liberal democratic thinking.

Hannah Arendt raises the question of the birth of political action in a general way in her book *The Human Condition*, under the name of 'natality'. 'If action as beginning corresponds to the fact of birth, if it is the actualisation of the human condition of natality, then speech corresponds to the fact of distinctness and is the actualisation of the humanity, that is, of living as a distinct and unique being among equals.' (Arendt 1958:178). If natality is shorthand for beginning something new, the freedom of the new must come even before the new is actualised in thinking or acting. Just like the child is born before the birth is institutionalised in social rituals of care taking, '[f]reedom was created when man was created' (p. 177), that is, before it was institutionalised. It is the question of freedom before its formulation in positive law, before processes of mutual recognition has taken their course and before the individual is politically *gebildet*. It is the question of freedom, even, before the introduction of the ambiguous, multiple and hybrid, terms that belong to the social description of postmodern society.

Freedom cannot only be the product of idealisations, but must in some way or other precede them. Equality cannot only be substantiated in positive law without losing its spirit. Its freedom from positive law is paradoxical. Its freedom is, in the name of the law, to free people from the oppression of positive and unchanging law. This freedom is the rationale of civil disobedience, as it has been practised since the fights for black rights in the US in the Sixties. But again, the question is not about the birth of civil disobedience, it is about the birth of freedom. The answer first takes us to the extreme position of the insubstantiality that is suggested by Arendt's natality. A beginning that is not substantiated in a political self-sufficiency or *Mündigkeit* in the Kantian sense or even in the concept of a liberal democracy. It is a beginning that transcends the self-sufficiency of these positions and that un-positions itself by denying the foreclosing of speech as truth-related discourse. It thereby frees action for the unexpected, the surprise, the breaking forth of the different. We should not forget the psychological fact that children live in a world where the unexpected is part of everyday life and where surprise is received as the sweet welcoming of the new.

For Arendt speech expresses the singular or unique. This is not free speech in the political sense, but speech as it precedes any political use. This freedom of speech is not 'caused' by anything else. There is no First Amendment or law that give us this freedom in the first place, and there is no psychological or even transcendental capability or *Vermögen* involved. Freedom is only tied up with itself, it is its own act of freedom. As Jean-Luc Nancy has it in *The Experience of Freedom: 'Auto-nomy*, which has always represented the very regime of freedom, must be understood on this basis: as a legislation by the *self* in which the *self* does not pre-exist, since its very existence is what is prescribed by the law, and this law itself is not based on any right, since it founds with its own *juris-diction* the possibility of a "right" in general.' (Nancy 1993:107). For freedom to be free it cannot be preceded by anything but itself. Freedom in the sense of natality comes into being by its own jurisdiction, that is, literally by speaking its own law, which ensures its autonomy.

### 3.2. Towards a politics of toleration

Before freedom is established as right within the constitutional state, it must be the event of freedom. This notion is a radicalisation of Hegel's 'idea' as the unity of thought and object, radical in the sense of doing without the dialectics of recognition. The unity of self and world in freedom is rather the singular events or tying of the knots between persons and the world. According to Nancy politics is a 'seizure of speech' or *prise de parole*, which he describes further as '[t]he emergence or passage of some *one* and every *one* into the enchainment of sense effects, statement and offering in phrase or outline, including the cry, the call, and the complaint as much as the theoretical discourse, the poem, and the song, along with the gesture and even silence.' (Nancy 1997:115). The emergence of freedom takes place, not as categories, concepts or procedures, but as events in their different expressions. The coming into presence or presencing of freedom defies any distinction between reasonable and unreasonable pluralism. The enchainment that Nancy talks about does not converge towards a consensus, and it is not the master idea of an origin or even future of freedom. It is not expressive in the Romantic sense either, expressive, that is, of my identity or of individual empowerment. Freedom is, to use a word play, is a knot that is a (k)not, that is, the tying and untying of knots, and therefore always singular. It is a communication that is always beginning anew. In this sense communication is undecidable, it does not know what to say or where to head. The undecidable requires a decision. Freedom involves the expression of will and determination. In this sense it is the impossible that makes itself possible, which is the moment of 'deconstruction' that is involved in this way of thinking. Communication is the (k)not of tying and untying, the (k)not that '[i]nvolves neither interiority nor exteriority but which, in being tied, ceaselessly makes the inside pass outside, each into (or by way of) the other, the outside inside, turning endlessly back on itself without returning *to* itself ....' (Nancy 1997:111). This circular way of writing wrenches the reader out of thinking in categories and dichotomies like subject-object, essence-existence, meaning-expression etc. Nancy goes beyond any politics of recognition and reconciliation by suggesting a politics of difference, which is the politics of tying and untying the (k)nots of communication. He unties the mutually exclusive link that Callan creates between reasonable and unreasonable pluralism by deconstructing the secret hegemonic pretensions in it. Now the suggestion that we seek a middle position between the two, does not solve our problem, for we have already abandoned the dialectics of reconciliation as a self-sufficient position of its own. Yet, Nancy does not propose a 'new' philosophy. He just shows how we can get unstuck from philosophical schemes by asking the question of political freedom before we come up with the mutually exclusive notions of reasonable and unreasonable or the idea of a procedural reason. He proposes a radical politics of toleration, that is, a politics that not only takes its point of departure in toleration, but tolerates its own auto-nomy as non-identity, or rather, the tying and untying of identity. That brings me back to toleration and the public sphere.

In Callan's scheme toleration marks the limit of reason, it is called on when reasonable pluralism is exhausted. If we start thinking in terms of tying and untying the reasonable-unreasonable knot, however, toleration is not a way of tying up or 'solving' cases of unreasonable pluralism by refraining from coercion. Toleration is rather the tying-untying that takes place as an event, or that presents itself and comes into being when Callan's definition of tolerance exposes its own undecidability. This opens up the space in which tolerance becomes the (k)not that 'turns back on itself without returning *to* itself' in a concrete politics of toleration. A politics of toleration involves procedures for tolerantly living in an intolerant society. I think that toleration rather than reconciliation and consensus gives access to the open space where the public can come to an understanding of itself as partaking in the birth of the public sphere. The story of a lost public space in a time where the

forces of civil society is depleted by the state, usurped by masculine reason and exploited by the media-market complex – this story is, of course, well documented. The division of labour, social distinction and the differentiation of lifestyles in postmodern society makes the idea of a politics of recognition, at least in its Habermasian ‘idealist’ shape, utopian in the sense of a reasonable world longed for, but lost. Toleration is the other of reason and thus marks the impossibility of reason. But toleration is also the possibility of reason, because it marks the beginning of reason: it marks the ‘natality’, not only of existence, but also of the political, and thus the possible birth of a public sphere. The public sphere cannot be described within the limits of reason bequeathed us from the French Revolution. That makes for an illegitimate circumcision of the public, circumcision being the sovereign act of inclusion into an established culture, an initiation into the cult of the selfsame, as in the ritual of circumcision. Toleration resists inclusion, and therefore opens up for the birth of the new. A toleration of the other in its otherness is the (k)not that a postmodern public sphere has to struggle with and – in the end – try to make into a political education.

## Notes

- 1 From *The College Survey of English Literature*, the shorter edition. Harcourt, Brace and World (1951), pp. 532ff.
- 2 Apart from Carol Gilligan’s *In a Different Voice* (1982), see Nancy Fraser’s *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (1989), Sheila Benhabib’s *Situating the Self. Gender, Community and Postmodernism in Contemporary Ethics* (1992), just to mention a few ‘feminist’ writers. Books mentioned only in the notes will not be repeated in the reference list. In general I have taken the liberty to reduce footnotes and references to a minimum.
- 3 I shall forgo a discussion on the politics of the Internet. There is a burgeoning literature on the Internet and the Internet and politics. See for example Mike Sandbothe/Winfried Marotzki (Hrsg): *Subjektivität und Öffentlichkeit, Kulturwissenschaftliche Grundlagenprobleme virtueller Welten* (2000), Tim Jordan: *Cyberpower. The Culture and Politics of Cyberspace and the Internet* (1999), *Liberating Cyberspace, Civil Liberties, Human Rights & the Internet*, edited by Liberty (1999), and Chris Toulouse/Timothy W. Luke (ed): *The Politics of Cyberspace* (1998).
- 4 See the article ‘Individuierung durch Vergesellschaftung’. In Habermas (1988).
- 5 I have not been able to track this article beyond the Norwegian edition of Habermas’ mainly political articles in Jürgen Habermas (1999): *Kraften i de bedre argumenter*, edited by Ragnvald Kalleberg, p. 73.
- 6 For the record: Toscani was fired last year from Benetton following the Death Row advertisement, probably because it was too political for the America consumer and, in the end, too contra-productive as part of a branding campaign.
- 7 The books listed in note 2, discuss the downsides of life on the Internet as well, among them the well-known mechanisms of dominance, control and exclusion, mechanisms, which, of course, are only repeated on the Internet.
- 8 The distinction is Callan’s, who writes in the Rawlsian liberal political tradition. Habermas’ differences with Rawls are taken up in two articles in Habermas 1996 pp. 65-127. Yet the question raised by Callan’s distinction dovetails with Habermas’.
- 9 The gender issue is taken up in several articles in Craig Calhoun (ed): *Habermas and the Public Sphere* 1992. See also Benhabib, Sheila: *Situating the Self*. Cambridge 1992. Other issues mentioned in my article are treated in Stephen K. White: *The Cambridge Companion to Habermas*. Cambridge 1995, and in Peter Dews (ed): *Habermas, A Critical Reader*. Malden, Mass. 1999. The deconstruction issue is taken up particularly in Maurizio P. D’Entrèves/Sheila Benhabib (ed): *Habermas and the Unfinished Project of Modernity*. Cambridge 1996. From the specific educational point

of view, see Masschelein, Jan/Wimmer, Michael: *Alterität, Pluralität, Gerechtigkeit*. Leuven 1996, and Gert J.J. Biesta/Geert Jan J.M. Stams: 'Critical Thinking and the Question of Critique': Some Lessons from Deconstruction. In *Studies in Philosophy and Education*. Vol 20/1, Jan 2001, pp 57-74.

- 10 See especially Craig Calhoun (ed): *Habermas and the Public Sphere* (1992), in which several contributions takes Habermas to task on this matter.

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