

Lonergan and Habermas: Contributions to Understanding the Moral Domain

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Philosophy develops through the cross-fertilization of ideas. The key players in this essay exemplify this point. Just as Bernard Lonergan's transcendental Thomism benefitted from his encounter with Kant and Hegel, so Jürgen Habermas's critical theory owes much to American pragmatism. Moreover, both thinkers let developments in the empirical and human sciences shape their philosophical arguments. Dare we also hope that Lonergan and Habermas have something fruitful to offer each other?

The prospects are promising. Both Lonergan and Habermas give reason pride of place in their philosophical analyses. Lonergan's masterwork takes insight as its theme, and Habermas's sociopolitical theory works out the bases for a "rational society." And both thinkers recognize a considerable debt to Kant. Behind that debt lies an even more important similarity: both thinkers attempt to carry out the "subjective turn" in modern epistemology more rigorously than Kant. I thus start by briefly describing that project in Lonergan and Habermas (I). The difference in how they each execute that turn opens up interesting possibilities for cross-fertilization. I first describe some ways Lonergan's cognitional theory can illuminate Habermas's ethics (II). I then ask whether Lonergan's ethics can accommodate the radically second-personal character of discourse ethics (III, IV). I argue that it not only can, it must (V).

I The Turn to the Subject

Lonergan's turn to the subject finds clear expression in his philosophical synthesis, *Insight*, first published in 1956. The explicit aim of *Insight* is to foster the reader's personal "self-appropriation" of the cognitive operations that lead to knowledge. Similar to Kant, Lonergan stresses the active role of the knowing subject, and he contrasts this approach with "naïve realist" epistemologies that conceive knowledge as a passive contact with real objects that exist "already out there now." Unlike Kant, however, Lonergan insists we can know the world itself (see BL 1972, 35). But *how* we know reality has a structure that involves human

subjectivity. The specifically human mode of knowledge appears in the core structures of inquiry, whose stages of experience, understanding and judgment constitute the underlying strata of knowledge. More precisely, human knowledge is constituted by *judgments* whose content correctly asserts the invulnerability (to further questions) of a determinate *understanding of experience*, that is, a grasp of the intelligibility immanent in experience.

Thus Lonergan can assert that “genuine objectivity is the fruit of authentic subjectivity” (ibid., 292). Behind this lies a distinction between the meaning and “criterion” of truth. The meaning of truth is to state “what is or is not so” independently of the subject. But the criterion that governs our efforts to arrive at truth lies in the authenticity of the subject (ibid., 37). For the authentic subject is precisely the one who remains faithful to the “immanent dynamism” of inquiry that takes one beyond oneself, that is, beyond fantasy to careful attention to experience; from experience to intelligent ways of understanding that experience; from intelligent understanding to critical testing of one’s understanding in light of objections, further questions, and alternative views; from critical testing to reasonable judgments, in which one asserts one’s understanding as correct.

Habermas’s turn to the knowing subject was evident in his early critique of positivist philosophy of science. For Habermas, however, the relevant subject is not the individual but the community of inquirers. In two early essays (Habermas 1976a, b; German ed., 1963, 1964), Habermas criticized Karl Popper’s account of scientific inquiry on two counts, both of which bear on the inquiring subject.¹ First, Popper ignores how methodology in the empirical sciences builds on a deep-seated anthropological interest in the technical mastery of the external world: just as the human species must be able to learn how to control nature by tracking the effectiveness of its interventions, so also scientific inquiry depends on careful observation and feedback-monitored control of experimental interventions. This *way* of approaching nature constitutes possible objects of scientific knowledge—natural processes can count as objects of scientific knowledge only insofar as they pass through this methodological structure. Second, Habermas faults Popper for not adequately addressing the communicative side of inquiry, the rich hermeneutic process that inquiry

¹ Though Popper attacks positivism, his approach retains the defects of positivism that interested Habermas.

presupposes, which grounds a background consensus on vocabulary, methods, and standards of adequacy.

In *Knowledge and Human Interests* (1971), Habermas expands his account to include knowledge-constitutive interests in mutual understanding and emancipation. For us, two points are crucial. First, Habermas criticizes objectivistic approaches that treat knowledge as a passive confrontation with external reality, unaffected by the subjective conditions of inquiry—a view not unlike the naïve realism that Lonergan criticized. Second, Habermas differs from Lonergan by focusing not on the individual knower, but on the community of investigators—and ultimately the human species—as the subject of inquiry and cultural development.

Eventually Habermas took a further step, rejecting the “philosophy of consciousness” in favor of the “linguistic turn.” Rather than conceive the community, or even humanity, as a kind of macro-subject emancipated by reflective self-appropriation of its practices of inquiry, Habermas’s theory of communicative action starts with the shared sociolinguistic practices in which subjects exercise their reflective capacity *with others* (Habermas 1984/1987). Lonergan never made a similar linguistic turn. But must that difference spell an opposition? I think not. To the contrary, Lonergan’s cognitional theory can illuminate Habermas’s “discourse ethics.”

II The Idea of Moral Insight: A Lonerganian Contribution to Discourse Ethics

First some background. Habermas’s discourse ethics represents a development in the Kantian moral tradition (see Habermas 1990; Rehg 1994; Rehg 2011). Recall that Kant’s ethics focuses on moral obligations and judgments that express concern and respect for persons. Kant is concerned above all to explain the unconditional character of moral obligations or norms,² our sense that they bind us regardless of the advantages or disadvantages of compliance. Kant’s analysis of moral duty (1) assumes that such duties can be knowable by reason, and (2) leads to the idea that valid moral norms bind all persons equally and impartially. Kant accordingly distinguishes morality from the pursuit of subjective happiness, understood in

² For the purposes of this paper, I use the terms “obligation” and “norm” interchangeably, understood as general prescriptions and prohibitions for action; “duty” can refer either to such norms, or to their concrete application in context. Moral “judgments” are conclusions an actor reaches concerning duties.

terms of the satisfaction of personal preferences and desires, and from instrumental reasoning.

Similarly, Habermas understands morality in terms of impartial norms and judgments that direct us to act in ways that treat persons with due concern and respect. However, Habermas has a richer analysis of practical reasoning than Kant. He contrasts morality not merely with the satisfaction of preferences and instrumental reasoning, but also with what he labels “ethical-existential” questions regarding authentic self-understanding and the pursuit of life goals. Strictly speaking, then, discourse ethics is a discourse theory of morality, not of ethical-existential deliberation.³

More importantly for our purposes, Habermas differs from Kant on moral epistemology, that is, the way one identifies and justifies moral obligations. Kant essentially assumes that mature agents can reliably identify their moral duties by an individual or monological exercise of reason, guided by a mental procedure—the Categorical Imperative—for testing prospective actions from an impartial “moral point of view.”⁴ But Kant’s Categorical Imperative proved notoriously unreliable as a check against personal bias and untested cultural assumptions. Habermas’s discourse ethics corrects this deficit by linking moral justification with real dialogue with other persons, in particular all those who will be affected by a prospective moral norm or choice.

Of course, for a real discourse reliably to identify and justify valid moral norms (and their correct application to concrete situations), it must satisfy conditions that allow participants to discuss the matter in a sufficiently reasonable manner, so that if they reach consensus, they do so solely on the basis of an “insight into the better argument” (as Habermas sometimes puts it). Habermas’s moral principle of universalization (U) summarizes these ideas for the case of norms.⁵ As a rule for moral argumentation, (U) is meant to

³This terminological confusion stems from the fact that Habermas developed the idea of ethical-existential discourse only subsequent to his discourse ethics; for the account ethical-existential reasoning, see Habermas (1993, chap. 1).

⁴Kant regarded the first formulation of the Categorical Imperative as the most precise procedure: “Act only according to that maxim that you can at the same time will to be a universal law.” One tests actions by asking whether one can will, without contradiction, an imaginary society in which everyone follows the rule (maxim) built into the prospective action.

⁵(U) only sets conditions for the justification of general moral norms with prima facie validity. One can construct a structurally similar principle for the justification of particular applications of norms to concrete situations; see Rehg 2011.

ensure that consensual outcomes meet the challenges of rational justification posed by unconditional moral norms, which regulate the pursuit of personal interests and values. Fully spelled out, (U) takes the following form:

A moral norm N is justifiable on the basis of good reasons insofar as:

(i) everyone whose social role falls under N, or whose pursuit of goods would be governed or affected by N could accept N (*consensus condition*),

(ii) where N is understood as an unconditionally binding requirement for treating persons with concern and respect, and as typically governing and affecting each person's/group's pursuit of goods (*topic condition*),

(iii) after taking part in a discourse that satisfies these *process conditions*: (P1) everyone capable of making a relevant contribution (i.e., arguments that bear on the topic and participants above) has been included and given equal voice, (P2) the participants have not been deceived or self-deceived about the relevant reasons, but understand their import, and (P3) the participants are free to consider all the relevant arguments and counterarguments and judge them on their merits.⁶

The counterfactual “could” in the consensus condition deserves comment. (U) sets very demanding conditions of adequacy on the discursive justification of moral norms: everyone affected (as defined in the consensus condition) must accept specific kinds of argument (topic condition), after a discourse that meets very demanding process standards (P1 – P3). We might doubt that any real discourse has ever satisfied those conditions. At one level then, then, (U) is a “counterfactual idealization.” But Habermas insists that (U) is also practically operative in real discourse: we can regard the outcome of a moral discourse as rational only if we presuppose we have at least “sufficiently approximated” the demands summarized in (U). With (U), Habermas wants to articulate what we ourselves, as morally autonomous actors, “pragmatically presuppose” about our “best practices” of moral judgment and discourse, in which we genuinely strive to reason together to solve moral problems.

Habermas thus assumes a culture that values the autonomy of individual conscience. But discourse ethics articulates moral autonomy as a dialogical achievement. This means that (U) has implications for individual conscience-formation: in forming a reasonable opinion about the morality, say, of capital punishment, I must presuppose my view could hold up in a rational discourse; but I am warranted in that

⁶ This formulation goes further than Habermas's in making various aspects of (U) more explicit; for the analysis supporting this interpretation, see Rehg 2011; cf. Habermas 1998, 42.

supposition only insofar as I have engaged in actual moral discourse on the topic. Only such engagement warrants any confidence I might have about the reasonableness of my opinion—i.e., confidence that my justifying reasons are genuinely *good* reasons. More on this point later.

(II.1) How then can Lonergan’s cognitional theory illuminate Habermas’s discourse ethics? First, Lonergan can illuminate Habermas’s claim that our moral practices “pragmatically presuppose” discourse-ethical principles such as (U). What does that mean? Habermas’s argument for (U) is complex, but it boils down to the idea that (U) captures a set of shared ideas about moral discourse and judgment:

- the idea that general moral norms, unlike matters of personal taste and lifestyle preference, are supposed to provide general ground rules for cooperation that regulate the pursuit of individual goals (a topical assumption);
- our intuitive sense, evident in moral argumentation, that we should be able to justify to each other the moral expectations we have of one another (the consensus assumption);
- conditions we must presuppose our discourse has sufficiently satisfied if we are to consider it rational; these include, *inter alia*, the three process conditions in (U).⁷

These ideas fit into what Lonergan would call the “intellectual pattern of experience.” Thus, in Lonergan’s terms, (U) articulates the “immanent dynamism” in practices of moral judgment and inquiry. And just as the *authentic subject*—the attentive, intelligent, and reasonable subject—constitutes the criterion of objective truth for judgments of fact, so also *rational discourse*—open, inclusive, egalitarian, unrestrained—constitutes the criterion of moral objectivity in Habermas’s ethics.

(II.2) Second, Lonergan’s cognitional theory illuminates what it means to say that the outcome of a rational discourse expresses an “insight into the better argument.” Consider a concrete case. Suppose a group of people want to form their opinions about a morally acceptable regulation of smoking in public buildings,

⁷ The idea, then, is that one can derive (U) from three premises corresponding to these ideas; see Habermas 1990, chap. 1; 1998, chap. 1; Rehg 2011.

perhaps as a prelude to seeking some kind of official ban.⁸ According to discourse ethics, such a discourse calls for input from all concerned parties, who make (and criticize) various proposals regarding moral behavior in some area of social life. The positive proposals themselves, as prospective norms, seem to represent what Lonergan calls “direct practical insights.” For each proposal responds to “data”—desires and fears regarding the effects of smoking, relevant factual information, and so on—which it integrates in a possible way of ordering smoking behavior in specific types of recurrent circumstances, so as to accord appropriate concern and respect for persons in light of various consequences. Presumably, the primary “concern” in this case would be a concern for people’s health, whereas “respect” would focus on respect for individual liberty and avoiding offense to others. Discourse itself, as a process of argumentation, involves the testing of these proposals for their general acceptability. This process unfolds as participants bring their particular points of view to bear on proposals, identifying flaws, challenging factual assumptions about the effects of second-hand smoke, expressing feelings and needs, invoking generally accepted ideas of health, liberty, respect, and so on. In the face of “further pertinent questions,” proposals drop out, develop, and expand accordingly.

As a critical testing of direct insights (the different proposals), this process lies at Lonergan’s level of reflection. If it leads to consensus, then that consensus expresses what Lonergan calls a *reflective insight*, here an insight into the superiority of a norm-proposal over its rivals and predecessors. So an “insight into the better argument” grounds a comparative judgment of value. Some commentators use the term “deliberative insight” for reflective insight on value questions (Cronin 2006, 187, also 179ff; cf. Vertin 1995). Here the relevant “value” is the concrete moral value of a way of regulating smoking in public places.

According to Lonergan, reflective insight simultaneously grasps (a) the prospective conclusion (here, the comparative judgment that a norm-proposal N is superior and thus valid), (b) the link between that conclusion and its conditions of validity, and (c) the fulfillment of those conditions (BL 1992, 312). The

⁸ As the history of public smoking bans suggests, moral discourse is often intertwined with what Habermas calls “political discourse,” that is, a discourse that feeds into an institutionalized decision-making procedure whose outcome binds citizens under pain of penalties. My example focuses simply on the moral discourse proper, which in the case of public smoking took place across a range of informal venues and not simply in political institutions.

conditions, he explains, are none other than the further pertinent questions, and those conditions are fulfilled when all further questions are answered. Thus, norm N is superior to alternatives, and thus valid, just in case one can answer all the further pertinent questions regarding the acceptability of N, whereas one cannot do so for the alternatives. In the context of a discourse aiming for consensus, answering further questions means that one can answer the questions posed by all the participants, or rather, that *each reasonable participant can rationally accept* the answers to questions regarding N, whereas other proposals fail that test. It follows that (U) in effect sets the standards for what Lonergan would call an “invulnerable” deliberative insight in the moral domain: an insight into the moral validity of a norm counts as invulnerable to further pertinent questions just in case all those possibly affected by the matter could accept the norm after a rational discourse. And a discourse counts as sufficiently rational only when it meets the process standards in (U), which we can now see are designed to ensure that all pertinent questions are raised and answered to the satisfaction of all, who together assess relevant considerations as reasonably as possible, that is, to the point where further discourse over the available information and arguments would not change the outcome.⁹

The moral debates with which we are familiar do not meet this standard. More generally, in Lonergan’s terms, rational moral consensus rarely involves a grasp of the virtually unconditioned in the sense spelled out above. For many widely accepted everyday norms, we simply act on the presumption that they would satisfy (U), were we to open them for discussion. For more contentious questions, our moral norms and judgments remain at best probably valid.

III The Second-Personal Nature of Moral Insight

The foregoing reflections on discourse ethics implicitly raise a question for Lonergan’s approach. According to discourse ethics, deliberative moral insight is irreducibly social—one cannot have it by oneself, precisely

⁹ The idea here is that we can in principle reach closure on value judgments about right and wrong actions in the typical circumstances of our time, without awaiting the end of history or divining all possible future historical circumstances in which previously unthought-of pertinent questions could arise.

because the conditions of validity for a reflective moral insight include the *agreement of others*.¹⁰ Can this feature of discourse ethics inform Lonergan's ethics? My answer is yes. Indeed, I think his ethics positively requires this idea.

It is important, for starters, to be clear about the issue at stake. For discourse ethics, deliberative insight is essentially second-personal (cf. Darwall 2006). For my prospective moral judgment to satisfy the conditions of its validity—thus to overcome legitimate doubts about my judgment—requires your assent. “As long as *you* have, or might have, a further question, then *I* also have got one ... Insofar as your acceptance partially *constitutes* the correctness of the norm, my doubt must persist so long as you doubt that the behavior defined by the norm may be expected of you” (Rehg 1994, 86).

There are deep reasons for the second-personal aspects of discourse ethics, which I have yet to develop fully. I start with the remote background in Habermas's theory of communication action.

(III.1) The linguistic turn marks a crucial difference between Lonergan and Habermas. Lonergan has much to say about the social nature of human knowing and judgment. On his view, scientific knowledge is an irreducibly social product, the result of a kind of collective reasonableness based on mutual trust (see BL 2004, 146; Rehg 1993). More broadly, Lonergan points out that “[h]uman knowledge ... is not some individual possession but rather a common fund, from which each may draw by believing, and to which each may contribute in the measure that he performs his cognitional operations properly and reports their results accurately” (BL 1972, 43).

Thus Lonergan is keenly attuned to the “sociology of knowledge.”¹¹ But he fails to take a crucial further step, which lies at the very basis of Habermas's theory of communicative action (Habermas 1984/1987). The basic unit of analysis in that theory is not the individual's judgment, but rather the speech-

¹⁰ This point does not eliminate the possibility of moral prophets who articulate important moral truths against the opposition of others. For such prophets (1) usually draw on a deeper moral tradition, and (2) typically address an audience that is under the sway of false factual assumptions and moral prejudice; thus the prophet's audience does not satisfy the conditions that make agreement a condition of insight.

¹¹ Already in *Insight*: see BL 1992, 452-54, 725-28; also BL 1972, 41-47; 2004, 145, 340f.

act offer and response, thus a *transaction between two persons*, speaker and addressee. As the name implies, a speech act is a kind of social action, an attempt on the speaker's part to establish an intersubjective relationship of some sort with the addressee. This is most obvious with speech acts like promising, where the speaker's statement "I promise you that ____" constitutes the social action of promising, which establishes a specific kind of interpersonal relationship between the promise-maker and addressee, such that the latter can hold the speaker accountable for delivering on the promise. But factual assertions are also social actions: in telling another that *p* is the case, one seeks to establish a relationship based on a shared piece of information. If the hearer accepts the factual assertion, then each party can hold the other accountable for speech and behavior consistent with the information.

Within a speech-act framework, scientists' judgments of fact are interesting insofar as they issue in factual *assertions* addressed to other scientists, and such assertions fully succeed as speech acts only insofar as the science community accepts them into its corpus of public knowledge (cf. Ziman 1968). The rationality of such speech acts, Habermas argues, depends on the fact that factual assertions make a specific kind of "validity claim," namely a truth claim. Assertions of moral obligation, by contrast, make a rightness claim.¹² In general, validity claims are inherently open to potential criticism and justification. To claim, for example, that viruses can cause certain forms of cancer, or that slavery is wrong, is to offer one's addressee the tacit guarantee that good reasons can be adduced in support of the claim. In accepting a validity claim, the hearer in effect accepts the speaker's guarantee, which means: if I, the hearer, have doubts and raise questions about your claim, you must "redeem" your guarantee by providing good reasons (which could include, referring me to some authority we both accept). Thus, if speech acts make validity claims of different sorts, then communicative action is intimately related to reason-giving and argumentation.

¹² To analyze the rational character of speech, Habermas organizes types of speech acts according to the kind of validity claim that is salient in the speech act. In doing so, he aims to uncover the deeper, culturally invariant structures that underlie speech acts, distinguishing more universal speech acts from those that have a conventional character, and vary with culture and institution—e.g., sentencing, rendering a verdict, christening a ship, count as social actions only in certain institutional settings with differentiated roles. By contrast, assertions of fact, accusations, and avowals—which respectively foreground the validity claims of truth, rightness, and sincerity—occur across cultures and different institutional contexts. See esp. Habermas 1984, also his "What Is Universal Pragmatics?" in Habermas 1979.

(III.2) According to Habermas, social cooperation rests in part on shared moral expectations that members consider justifiable on the basis of reasons that all can accept. But that thesis does not yet get us to discourse ethics and its principle of universalization (U). For the “reasons all can accept” might come to an end with an appeal to traditional authority. As an attempt to articulate the bases of autonomous morality, the (U)-Principle goes a step further in specifying what counts as an adequate reason, namely, reasons that (a) address the likely impacts of a norm on each person’s values and interests and that (b) all those affected could freely accept in a rational discourse. Those requirements imply that no authority is shielded in principle, simply in virtue of its institutional or social position, from the demands of rational justification, which require one to attend to each person’s circumstances and seek their consent.¹³

This point, then, constitutes the proximate grounds for the second-personal character of moral norms and judgments: insofar as these are addressed to morally autonomous agents, they must accord with the dictates of those agents’ personal conscience. However, if we cannot presume that all consciences converge in Kant’s realm of pure reason, then the mere fact that *I* conscientiously judge some norm *N* to be right does not guarantee that your conscience reaches the same judgment. Consequently, for me to judge impartially, and thus autonomously, requires dialogue: I cannot *conclusively* regard *N* as binding you and me and anyone in like circumstances unless you and I and everyone else *together conclude, and know we together conclude*, that *N* binds each of us in the relevant circumstances.

As I noted earlier, this standard functions as a counterfactual idealization that affects individual conscience-formation. I may consider a judgment fully and ideally justified only if I presuppose it *could* be agreed to by all concerned parties in reasonable discourse. But that supposition is warranted only insofar as my actual dialogical encounters support it. On the one hand, given the limits of actual discourse, my moral opinions and judgments must usually remain probable at best. On the other hand, any confidence I place in the probable rightness of my judgment is a reasonable confidence only insofar as it flows from an experience

¹³ This allows that there may be good contextual reasons to trust an authority. Note that we can already find the kernel of autonomy in Aquinas’ natural law theory (not to mention his theory of conscience). Recall that natural law is that part of the eternal law accessible to human reason. Aquinas then distinguishes self-evident primary precepts from secondary precepts, whose identification requires the “deliberation of the wise”; in effect, discourse ethics articulates the conditions for such deliberation.

of real discourses that are sufficiently reasonable. Discourse ethics thus sets the demands on an “informed conscience” quite high, for it obligates me to engage in as wide and reasonable a discourse as I can under the circumstances, seeking out in particular the views of anyone affected by the issue. And discourse ethics counsels humility: to the extent that other reasonable persons continue to disagree with my judgment, I should consider my justifying reasons less than conclusive.¹⁴

IV Re-Reading Lonergan on Deliberative Insight

Now back to the main question, which concerns the social character of deliberative insight in Lonergan’s ethics.¹⁵ In his analysis of practical reasoning, deliberative insight occupies a position analogous to reflective insight in the cognitional process that issues in judgments of fact. This analogy suggests that moral reasoning involves a process of experience, understanding, deliberative insight, and moral judgment. We thus start with *concrete experiences* of apparent goods and bads and the feelings that respond to them. These feelings include both self-regarding and self-transcending responses: on the one hand, simple attractions and repulsions, satisfactions and dissatisfactions; on the other hand, responses to genuine values and disvalues (BL 2004, 336f). In the public-smoking example, presumably, these feelings would include the pleasures and displeasures of smoking, as well as concerns about health and freedom from interference.

Notice, however, that the relevant experiences and feelings in our example arise within established social practices—“already understood and accepted mode[s] of cooperating” according to more or less institutionalized patterns of daily life (*ibid.*, 148). In general, social practices function well insofar as they realize “goods of order,” whereby participants integrate their various pursuits and desires (BL 1992, 620). Such practices are the result of practical intelligence—*exercises of understanding* that yield direct insights into ways of ordering human cooperation. But when our group asks about the moral acceptability of smoking, they are not asking the question for intelligence, how should we regulate our public smoking? Rather, their

¹⁴ Thus, discourse-ethical conscience-formation requires a context-sensitive exercise of prudential wisdom; see Rehg 2004.

¹⁵ For his ethics, see BL 1992, chap. 18; 1972, chap. 2; 1993; 2004, chaps. 8, 18; for introductions, see Melchin 1998; Cronin 2006.

question arises in a context already shaped by an earlier answer to that question, namely, an institutionally extant understanding that allows smoking in designated sections of enclosed public spaces. Further information (e.g., evidence of the negative effects of second-hand smoking), along with participants' experiences of the concrete operation of the extant public-smoking regime, now provokes a *question for critical reflection*, that is, moral deliberation: is the established practice truly morally right?¹⁶

Recall that deliberative insight grasps the unity of three terms:

- the conditioned, i.e., the judgment of value; in this case, we are asking whether the current smoking regime is morally acceptable, so the judgment at issue is: the current practice (of designated spaces for indoor public smoking) is morally acceptable;
- the link between the conditioned and its conditions: the current practice is morally acceptable, if all further pertinent questions, provoked by the experiences, feelings, and information available to participants, have been answered;
- the fulfillment of the conditions, thus the fact that the further pertinent questions have been answered.

As a process of critical reflection that confronts the prospective judgment with further questions, authentic deliberation depends in some rather obvious ways on collaboration. To begin with, the question for reflection was provoked by the experiences of different participants, as well as findings that issue from scientific collaboration.

On Lonergan's approach, however, the need for collaboration rests not simply on the mere fact that some people happen to be dissatisfied with a practice, but on the very nature of moral judgments. If the immanent dynamisms that lead to authentic judgments of fact and value have the structure that he describes,

¹⁶ Lonergan captures the dynamic in our example nicely when he writes, "you have the apprehension of values in intentional responses [i.e., feelings], the notion of value in the query, Is it truly good?...and the evaluation in the judgment of value itself" (2004, 339f). Note that Lonergan, more clearly than Habermas, embeds practical reasoning in history; thus it tends to respond to established institutional orders (see, e.g., 1992, 620; 247ff); he thus can say, "my notion of the human good is interconvertible with my notion of the structure of history" (1993, 24). Thus the more common pattern is not experience-understanding-judgment, but rather: established institutional understanding—negative experiences and feelings—questions for deliberation—judgment of value—questions for intelligence, such as, how ought we to reform practice x?

then those judgments, like Habermas's validity claims, are inherently open to criticism and justification, that is, they are open to further pertinent questions that call for response on the way to deliberative insights into the sufficiency of evidence. Consequently, anyone committed to the intellectual pattern of experience, who follows out the dynamisms of cognition honestly, should presumably be ready to defend his or her judgments before others. More to the point, one should seek out critics. For as Lonergan notes, a judgment is invulnerable only when there are no further pertinent questions. He goes on: "it is not enough to say that the conditions [for an invulnerable judgment] are fulfilled when no further questions *occur to me*" (1992, 309, emphasis added). Consequently, morally responsible conscience-formation requires *inter alia* that one engage others, "talking things over" (*ibid.*, 310).

We now reach a crucial juncture. Up to this point, authentic deliberation requires collaboration with others, inasmuch as one needs input of different kinds—others' feelings and experiences; relevant facts; awareness of the relevant questions—in order to judge the moral acceptability of a norm. But discourse ethics confronts Lonergan with a more radical view, for it asks whether his ethics can accommodate the idea that others' *reasonable agreement* counts as a condition for invulnerable deliberative insight.

At issue is how one understands the point at which there are no further pertinent questions. Answering further questions, I take it, is a process of discursive justification: in answering a question or objection, one gives a cogent argument in support of one's prospective judgment. Thus an invulnerable insight grasps the fact that the justifying arguments take into account all the relevant information and provide conclusive responses to all objections. We can now state the crucial question more precisely: who counts as the appropriate authority for assessing the cogency of moral arguments—the authentic individual subject, or the community of reasonable moral inquirers? If the subject, then "there are no further pertinent questions" when the individual actor, after conscientious participation in sufficiently inclusive discourse, is satisfied that she has a conclusive argument that responds to everyone's questions and objections. In adopting the alternative view, discourse ethics adds a further condition: my argument provides a conclusive response to others' questions and objections only insofar as it could win their *reasonable agreement*, and I am warranted in

thinking it could win such agreement only insofar as I see such agreement in actual discourse. Consequently, if I find that some participants in the moral discourse are apparently reasonable, yet fail to be persuaded by the arguments for my judgment, then my judgment remains less-than-invulnerable to further pertinent questions. In this situation, my insight remains “vulnerable,” and I must consider my moral judgment at best probable.

This more radical alternative might appear not only impossibly demanding, but at odds with the very idea of the inviolability of individual conscience. Here I think it helps, both in discourse ethics and Lonergan’s ethics, to distinguish cogent moral justification from responsible moral judgment.¹⁷ As a theory of ideal moral justification, discourse ethics defines a conclusive justification in terms of counterfactual idealizations summarized in (U). But responsibility for a reasonable moral judgment lies ultimately with the individual. And that judgment is reasonable insofar as the individual’s confidence in its (probable) rightness is conditioned by conscientious participation in actual discourse.

I think Lonergan’s cognitional theory allows a similar distinction. The individual subject retains personal responsibility for his or her moral judgment, which involves a “personal commitment” (BL 1992, 574). But the reasonableness of the judgment depends on the quality of the subject’s deliberation that precedes it. This move opens up the space for a radically second-personal conception of conclusive moral justification and invulnerable deliberative insight. Do we find grounds for attributing such a conception to Lonergan?

In the passage that comes closest to a direct answer to our question, Lonergan clearly ties reflection to actual discourse. In making this move, he relies on a distinction between “proximate” and “remote” criteria of truth and objectivity. For fallible human subjects, doubts naturally arise regarding the proximate criterion of truth, the grasp of the virtually unconditioned—have I actually grasped it? That question in turn raises doubts about the remote criterion of truth, namely the authenticity of the subject—has my grasp “been vitiated by subjective bias” (ibid.)? The antidote to such doubt is actual discourse:

Thus, one may call upon the judgments of others to support one’s own. Detachment and

¹⁷ For further discussion, see Rehg 2002, 2003, 2004.

disinterestedness are independent of circumstances, but bias, unless it is general, tends to vary with circumstances. Hence certitudes may be strengthened by the agreement of others, and this strengthening will vary with the numbers of those that agree, the diversity of their circumstances, the consequent elimination of individual and group bias, and the absence of any ground for suspecting general bias (ibid.)

This passage recapitulates central features of discourse ethics as a theory of impartial (unbiased) justification. One's confidence in the probable correctness of one's judgment increases according to one's actual engagements in discourse and evidence for reasonable agreement, which Lonergan ties to the scope or inclusiveness of different perspectives.

But this passage, however suggestive, does not quite give us the principled basis of a radically second-personal conception; rather, the demand for actual consensus arises from the contingent possibility of subjective bias. Discourse ethics, by contrast, grounds its second-personal conception in the very nature of moral validity claims addressed to autonomous agents. Although Lonergan adverts to autonomy and the second-personal standpoint in scattered texts, his skimpy remarks on the issue do not penetrate his ethics or analysis of the good.¹⁸ There is, however, an untapped resource, one that *requires* Lonergan to adopt a more radical second-personal ethics.

V Persons as Judges of Value

The second-person standpoint in modern ethics involves a view about the value human beings have for one another. Lonergan recognizes the human person as a value, a creature whose dignity calls for a moral response. The appreciation of value, the ability to respond to value, marks the moral conversion of the responsible subject (see Melchin 1998, chap. 1). But in bringing other persons into moral deliberation under the rubric of value, we must do so in a way that captures the specifically dialogical character of interpersonal morality. Other persons are indeed values—ends-in-themselves and thus absolute values, as Kant would say—but the bare category of value does not do justice to the role of other persons in one's moral

¹⁸ See Appendix.

deliberation. More to the point, others present themselves to me as beings capable of moral deliberation, choice, and self-transcendence; this capacity confers a special dignity on persons and the kind of claim they make on my deliberation.

But in Lonergan's practical cognitional theory, recognition of that dignity and the claim it makes on me primarily affects the *content* of my deliberation, rather than the process of deliberation itself.¹⁹ To make the turn to the more radical version of a dialogical morality, dependence on other persons must affect the deliberative process itself at its very core. In fact, the idea that persons are capable of authentic deliberation and moral self-transcendence has implications for deliberative process that Lonergan, to my knowledge, never drew out. For to recognize other persons is to recognize that I am not the only authentic subject, am not the sole criterion of objectivity, am not the sole person committed to processes of inquiry and reflection that lead to reasonable and responsible judgments of value. Consequently, in recognizing other persons, I recognize other inquiring subjects, thus other possible centers of authentic subjectivity, other (remote) criteria of objectivity. More precisely, in recognizing other persons, I must accord them not only the dignity of ends-in-themselves, I must also be ready to accord them the authority of responsible *judges of value*. As judges of value, they have a prima facie authority to judge *my* actions and judgments, just as I have authority to judge their actions and judgments.²⁰

We now need only a single further step to arrive at more radical second-personal ethics: an acknowledgement that each judge of value has only a limited and fallible grasp of the fulfillment of the relevant information, questions, and arguments that constitute the conditions of deliberative insight. But Lonergan has already taken that step. Recall only his remarks on bias, the self-correcting nature of inquiry, the imperfections of goods of order. We thus have two premises:

¹⁹ I think one can see this in John Haughey's Lonerganian analysis of human rights, which remains within the philosophy of consciousness. Haughey asks, "What triggers our response to another's moral claim as a good to be addressed by me or by us?" (2002, 772) His answer refers us to the "invariant structures of human consciousness" (770f). Within that framework, "a human right is a good of value and its value must be acted on from a consciousness that is attentive both to the value of the self as free and the dignity of the other/others as worthy of action taken on their behalf" (ibid., 780).

²⁰ This idea has been developed by Hegelians, e.g. Robert Brandom; see his essay in Ikäheimo and Laitinen (2011). Note that Brandom, however, resists the move to a consensual theory of objectivity.

- Each authentic subject is a judge of value, with prima facie authority to judge the objective correctness of others' judgments of value.
- Each judge of value has only a limited and fallible grasp of the fulfillment of the justifying conditions of a judgment of value.

These two claims suffice to rule out the less radical alternative posed above, the idea that the sufficiently informed individual is able to grasp the invulnerability of a deliberative insight. But they do not yet define invulnerability, or conclusive moral justification, in terms of universal agreement. Rather, they merely imply that no individual judge of value can certify the conclusiveness of his or her judgments (their invulnerability to error), but every judge of value must submit his or her judgments to the judgment of others.

The criterion of invulnerable insight, in other words, remains unclear. Is there any such criterion? Here the idea of multiple criteria of moral objectivity—each authentic subject is a criterion of objectivity—provides a possible clue. That idea poses a kind of dilemma. On the one hand, we might think these multiple criteria must, by definition, agree in their judgments of value. But that flies in the face of experience, for people of good will often disagree. On the other hand, if they do not necessarily agree, are we then left with a relativistic view? If authentic subjects disagree about the rightness of a particular action, say the 2003 invasion of Iraq by the United States, must we hold that both judgments are objectively correct?

Lonergan's distinction between remote and proximate criteria of truth and objectivity resolves this puzzle. Conclusive justification is the proximate criterion; the authentic subject is only the remote criterion, the authority in the best position to judge the conclusiveness of justifying arguments. However, if authentic subjectivity includes the recognition of other persons as judges of value to whom one's judgments of value are subject, then the remote criterion of objectivity becomes irreducibly dialogical. Authentic subjects are each a criterion of objectivity only insofar as they submit their judgments to each other. Consequently, if there are multiple criteria of objectivity, then these are interconnected, such that each one's authority is conditioned by that of the others. In that case, it is more accurate to say that the remote criterion of objectivity is the trend of opinion in the community of inquiry. Thus the remote criterion for conclusive justifications that answer all further pertinent questions is the agreement of the authentic community of

inquirers.

Appendix

Some passages in Lonergan point toward a more radical second-personal approach in which agreement has a constitutive role in ethics. In remarks on Piaget, for example, he acknowledges that

morality reached by mutual agreement and based upon mutual respect is an important part of human morality, the part of morality that arises when the subject moves to the level of ethical value, autonomy of spirit, realization of his own freedom and responsibility, and respect for the freedom and responsibility of others. It flowers in human cooperation (BL 1993, 100).

Elsewhere we find explicit references to the second-person standpoint. In his analysis of the dramatic pattern of experience, he describes human living as a kind of theater, in which we actors seek the approval and respect of others, our audience (BL 1992, 211). In his analysis of communication, he grounds the emergence of “common meaning” dialogically: “on the basis of an already existing intersubjectivity, the self makes a gesture, the other makes an interpretative response, and the self discovers in the response the effective meaning of his gesture” (1972, 357).

In his treatment of community as a locus of authority, Lonergan hints at the something approaching the social nature of moral insight. In contrast to “authorities,” i.e., officials with institutional power, “authority belongs to the community that has a common field of experience, common and complementary ways of understanding, common judgments and common aims” (BL 1985, 7). He then goes on to note, first, that “authenticity makes authority legitimate,” and, second, that authenticity (as well as unauthenticity) can be found not only in individuals, but in the community. The basic elements of a discourse ethics seem to lie about, waiting to be assembled. But the text remains too elusive to provide reliable guidance.

None of these suggestive moves quite penetrates his ethics, however. Moreover, other passages seem to rule out the radical intersubjective turn, emphasizing the individual dimension of ethical authenticity. Moral self-transcendence is just that: an achievement of the individual self. Just as the authentic, self-transcending subject is the criterion of objectivity and truth in judgments of fact, so also in judgments of value. By “self-transcending subject” Lonergan means the individual person: “By reaching an unconditioned you reach truth, and by being a virtuous person and making the judgment with a good conscience you are transcending yourself again.” More precisely, the authentically deliberating subject goes beyond the cognitional self-transcendence achieved in true judgments of fact and achieves an objective judgment of value, the proximate step before full moral self-transcendence achieved by acting according to that judgment (BL 2004, 144).

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