

A CRITIQUE OF PHILOSOPHICAL CONVERSATION

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I

I am not concerned in this paper with the fact that philosophers talk to one another; there is nothing to worry about in that. Nor am I concerned with the fact that ordinary people sometimes talk about "philosophical" questions—necessity, freedom, justice, the meaning of life and death. I assume that conversations of these sorts are normal and innocent. They go on for a while; they are sometimes interesting and sometimes not; they do not reach any firm conclusions; and at some point they just stop. People get tired or bored, or they want to eat lunch, or they think of something else they have to do or someone else to whom they want to talk. These conversations have no authoritative moments, and they generate no authoritative claims; they lie outside my interests here. I want to examine constructed or designed conversations, where the whole purpose of the construction or design is to produce conversational endings, finished arguments, agreed-upon propositions—conclusions, in short, whose truth value or moral rightness the rest of us will be obliged to acknowledge.

Implicit in the constructed conversation is the value of agreement. There may be stronger foundations for truth or rightness claims, but this is the most obvious one—indeed, how would we know that any other was stronger unless we (or some of us, talking things through) agreed that it was? Even the agreement of one other person, who had begun by disagreeing, makes a strong impression; for we know how hard it is to get two intelligent people fixed on one conclusion. The force of Plato's dialogues derives in part from this knowledge. The dialogues begin with contention and end with a virtually total agreement. At the end, they have hardly any dialogical qualities; they are monologues interrupted by the affirmations of a one-man chorus—here played by Glaucon in the *Republic*, responding to a succession of arguments presented at some length by Socrates:

Certainly.
Of course.
Inevitably.
Yes, that is bound to be so.
It must.
Well, that is certainly a fact.
Yes.
No, tell me.
I entirely agree.¹

Affirmations of this sort add to the force of a philosophical argument or, at least, they make the argument seem more forceful (why else would philosophers write dialogues?) because the acquiescent interlocutor speaks not only for himself but for the reader as well. Plato has built our agreement into his discourse, and while we can always refuse to agree, we feel a certain pressure to go along, to join the chorus. And yet we know that philosophical dialogues do not really end in this way, with one of the protagonists on his verbal knees, desperately searching for new ways to say yes. Agreements do arise among philosophers and, more generally, across societies; they develop very slowly, over long periods of time; they are always rough and incomplete; and the processes through which they arise are only in part conversational. I shall have more to say about these processes later on; right now I need only note that the conversations they include never really end. Choral affirmations make nothing firm.

Still, there is something engaging in the spectacle of the philosophical hero who triumphs over his opponents by reducing them to helpless agreement (the philosophical equivalent of surrender and captivity in time of war). More give and take in the dialogue would make for greater realism but probably not for greater persuasiveness. If we are not wholly persuaded, it is because of our own experience of argument where, even when we think we have done very well, we do not reach to, we only dream about, Platonic triumphalism. Certain sorts of arguments in the real world do have conventionally fixed endings, and these endings often represent victories of one sort or another; but these are not victories that carry philosophical certainty with them. Consider, for example, the debates that go on in a political assembly (where the right policy is at issue) or the deliberations of a jury (where truth itself is at issue). The debates end at some point with a vote, and the policy that commands majority support is then enforced; but its opponents are unlikely to concede that it is the right policy simply because the majority supports it. They will concede only that it is, for the moment, the policy that it is right to enforce. The deliberations of a jury are closer to philosophical argument, in part because the jurors (unlike the members of the assembly) are supposed to have no direct or material interest in the

outcomes they determine. They deliberate until they reach a *verdict*, that is, a true speech, and we enforce the verdict as if it were really true. In fact, it is true only by convention (in virtue of previous agreements). It is not the truth of the verdict which lends authority to the jury system, but the system that makes the verdict authoritative. We know that juries make mistakes even when their deliberations are genuinely disinterested and their conclusions unanimous.² And, similarly, we know that philosophers, even when they succeed in persuading their immediate opponents, are often wrong—at least, other philosophers always come along who tell us so.

Plato's mistake, we might say, was to write dialogues which lay claim to verisimilitude—with real locations and well-known protagonists—but which do not in fact resemble our own arguments about philosophical (or any other) questions. Anyone who writes a dialogue (rather than a design for a dialogue), anyone who imagines and reports an argument between or among philosophical characters, faces a difficult dilemma. For literary if not philosophical reasons, he must make some claim on his readers' sense of what good talk is really like, and then either his conclusions and choral affirmations will not ring true or he must end inconclusively. There are not many examples of inconclusive endings, but David Hume's *Dialogues Concerning Natural Religion* demonstrate the possibility. Hume's skepticism seems to create a kind of "negative capability"—a readiness to resist philosophical triumph and forgo choral affirmation. The result is that people come away from reading the *Dialogues* unsure who it is among the characters who speaks for Hume.³ His readers resemble men and women in an actual conversation who disagree the next day about who said what, and with what intent. It is obvious that no sure truths about natural religion have been delivered to them.

Is there some way of delivering truth (or moral rightness) through conversation? Not, I think, through actual and not through literary conversations. Real talk, even if it is only imagined, makes for disagreement as often as for agreement, and neither one is anything more than temporary. Moreover, the motives for the one are as suspect as the motives for the other: if people often disagree only because of interest, pride, or spite, they also often agree only because of weakness, fear, or ignorance. Agreement in actual conversations is no more definitive, no more foundational, than disagreement. What we require for the sake of truth is a hypothetical (which is not the same as a literary) conversation whose protagonists are protected against both bad agreements and bad disagreements. Hence the need for a design, a set of rules which will determine who exactly the protagonists are and what they can say. Working out the design is a major enterprise in contemporary moral and political philosophy. Curiously, once one has a conversational design, it is hardly necessary to have a conversation.

II

There are by now a number of available designs. I want to write about them in general terms, though also with some particular references. I acknowledge in advance that the particular references will not do justice to the complexity and sophistication of the theories involved. It takes a big theory to replace real talk. In one way or another, each of the theories must cope with the chief causes of disagreement—particular interests, relationships, and values; and it must cope with the chief causes of inauthentic or false agreement—inequality and misinformation. Since all these causes occur regularly in the real world, theorists are driven to design an ideal conversational setting and then an ideal speaker and/or an ideal set of speech acts. Consider now the possible forms of this idealism.

The setting obviously cannot be the assembly or the jury room or any other actual social or political environment. All these presuppose some institutional arrangements, but what institutional arrangements are morally preferable is one of the things that the conversation is supposed to decide. What is necessary is a change of venue, as when a jury moves from the neighborhood of a crime to some more distant place, where the jurors will be less exposed to rumor, prejudice, and fear. In this case, however, no known venue is suitable. Hypothetical conversations take place in asocial space. The speakers may be provided with information about a particular society (and a particular historical moment: "a given stage," as Jürgen Habermas says, "in the development of productive forces"⁴), but they cannot *be there*, even hypothetically, lest they gather information for themselves and make mistakes. As with jurors, ideal speakers are denied access to newspapers, magazines, television, other people. Or, rather, only one paper or magazine is allowed, which provides the best available account of whatever the speakers need to know—much as a certain set of facts is stipulated by the opposing attorneys in a courtroom (though these facts do not necessarily add up to "the best available account").

The speakers themselves are also idealized, designed or programmed in such a way that certain words, and not others, will come naturally to their lips. First of all, they are one another's equals, and they must know themselves to be one another's equals; arrogance and pride of place, deference and humility, are rooted out of their minds. This can be accomplished by stipulation: they are to speak as if (with the understanding that) all relationships of subordination have been abolished. Conversational equality reflects a hypothetical social equality (but is not the conversation supposed to produce, among other things, an argument for or against social equality?). Alternatively, the equality of speakers can be accomplished without the "as if," by dropping the Rawlsian "veil of ignorance" and denying them any knowledge of their own standing in the actually existing hierarchy of class and status. They are then equally ignorant of

their sociological place and of the feelings that it engenders.⁵ Or equality can be given effect later on, as we will see, by policing what they can say once the conversation begins.

Second, the speakers are fully and identically informed about the real world—about what Habermas calls “the limiting conditions and functional imperatives of their society.”⁶ One body of knowledge, uniform and uncontroverted, is possessed in common by all speakers; now they are equally knowledgeable; they share a sociology, perhaps also a cosmology.

Third, they are set free from their own particular interests and values. This is the most complex of the idealizations, and its precise form varies with the philosophical goal of the hypothetical conversation. In Rawls’s model, the ideal speakers know that they have interests and values of their own and that they will want to assert them, but they do not know anything at all about the content of these interests and values. Their conversations will therefore produce a world safe for individual men and women who plan a life of self-assertion, who intend, that is, to maximize their own interests and values, whatever these are. In Habermas’s model, by contrast, the ideal speakers have full self-knowledge but are internally committed to assert only those interests and values which can be universalized; all others are somehow repressed. Their conversations will produce something more like a sense of the general interest or the common good and then a set of principles for a community of cooperating citizens. The contrast suggests the dominance of design over discourse. “One extracts from the ideal speech situation,” writes Seyla Benhabib of the Habermasian model, “what one has . . . put into it.”⁷ The case is the same with the original position.

Whatever one does not “put into” the speakers one must put into their speech. Before anyone says anything, the speech act must be described so as to fix limits on what can be said. Habermas argues for “unconstrained communication,” but he means only (!) to exclude the constraints of force and fraud, of deference, fear, flattery, and ignorance. His speakers have equal rights to initiate the conversation and to resume it; to assert, recommend, and explain their own positions; and to challenge the positions of other speakers. But the universalization requirement is a powerful constraint. Habermas insists that it is not more than the mutually understood requirement of actual speech—“demanding,” indeed, but also “pre-theoretical.”⁸ In fact, universalization has a theoretical purpose, which stands in sharp contrast to the purpose of many actual conversations: it is intended to rule out bargaining and compromise (the negotiation of particular interests) and to press the speakers toward a preordained harmony. Justice is not, on Habermas’s view, a negotiated settlement, a *modus vivendi*, fair to all its egoistic and rational subjects. It is a common life, the terms of which are fixed by the general will of a body of citizens—“what all can will in agreement to be a universal norm.”⁹ Habermas defends a position that is very much like Rous-

seau’s, though Rousseau wisely renounced the hope that one could reach that position conversationally. We discover the general will, he wrote, if, when the people deliberate, the citizens “have no communication one with another.”¹⁰ But it probably does not make much difference whether there are no speech acts at all (but only internal reflection on the common good) or none but universalizing speech acts.

Bruce Ackerman’s account of “liberal dialogue,” by contrast, calls for external restraint rather than an internal commitment to universalization. Any claims his speakers make for the precedence of their own interests or the superiority of their own values are simply disallowed, stricken from the conversational record. If we control speech from the outside, he argues, then it will not be necessary to idealize the speakers or even the speech acts. The participants in his dialogues are real people (or better, they are typical people, with names like Democrat, Elitist, Advantaged, Disadvantaged, and so on—Ackerman’s scripts are allegorical dramas), and they talk, more or less, the way real people talk. But their conversation is patrolled by a policewoman (whose name is Commander).¹¹ This is supposed to make the actual words of the speakers and their exchanges with one another more important than they are for Rawls or Habermas, who are focused on design rather than exchange. If one knows the mandate of the policewoman, however, and if one accepts the reasons for the mandate, it is easy to write the conversational scripts, just as Ackerman does. The scripts are merely illustrative, and the argument they illustrate is probably best defended monologically. But Ackerman’s idea of a patrolled conversation points to an important fact about all these philosophical efforts: they are armed, one way or another, against the indeterminacy of natural conversation. The talk proceeds by design to a designated end. Agreement at the end is certain, and once it is reached it is equally certain, so long as the design is in place, that it will be sustained (or, if the conversation is resumed, that it will be reproduced). New speakers will not have much more to say than “That sounds right,” or “I can think of no objections,” or “I entirely agree.” In an Ackermanian dialogue, the speakers might try to object, but their objections will regularly be disallowed by the Commander, and so the end will be, as it often is in Ackerman’s scripts, “(silence).”¹²

III

I said earlier that the conversational project presupposes the value of agreement; it also presupposes the possibility of agreement. Acquiescence is not enough, nor a readiness to go along, make no trouble, think about other things. What is required is rational and explicit agreement; Ackerman’s “silence” is an acknowledgment of philosophical defeat and so stands in for full consent to the

victor's position. Rawls guarantees agreement with his veil of ignorance, which separates the speakers from any reasons they might have for disagreeing. The policewoman in Ackerman's account plays an analogous role. But Habermas takes a larger risk and makes a more radical assumption. He apparently believes that conversation subject to the universalization constraint will produce among the speakers what Steven Lukes calls "an endogenous change of preferences . . . such that preferences, tastes, values, ideals, plans of life, etc., will to some large degree (to what degree?) be unified and no longer conflict."¹³ But what possible reason do we have for joining in this belief? Perhaps Habermas also thinks that there are knock-down arguments (about distributive justice, for example) just waiting to be made. Or perhaps he thinks that such arguments have already been made but not in ideal conditions, and so they have been denied their proper response, that is, the Platonic chorus of affirmation. Both these views are highly unlikely.

We can best see the unlikelihood of philosophical agreement by consulting what I have already described as the actual and inconclusive conversations of living (rather than hypothetical) philosophers. For these conversations bear some resemblance to Habermas's ideal speech: the participants think of themselves as rough equals, though some of them speak with greater authority and are listened to with greater respect than others; they share a body of information, though always with marginal disagreements; and they aim fairly steadily, except for a few renegades, at universalization. Yet they reach no agreement among themselves; they produce again and again the philosophical equivalents of hung juries. Some philosophers, earnestly carrying on an internal dialogue, reach agreement within themselves, but that does not have the weight of an external consensus. The "others" are always a problem.

Why are they a problem? I suppose that the reasons can always be met (or avoided) by further idealization. Among philosophers, for example, there is the desire to carve out one's own position, to find the way by oneself, to make an original argument.¹⁴ So each speaker criticizes, amends, or rejects the claims of the previous speaker: What would be the point of agreeing? Perhaps Rawls's veil would conceal from the speakers this intensely felt interest in notice and praise; and then they might meekly join the chorus of support for the most persuasive speech. Habermas insists that speakers must always be bound by the better argument—the tightest constraint of all so long as we can recognize the better argument. But most speakers quite honestly think that their own arguments are the better ones. Sometimes they might acknowledge that they are not making the better argument then and there: so the conversation ends or one of the speakers walks out (like Demea in Hume's *Dialogues*, who "did not at all relish the latter part of the discourse; and . . . took occasion, soon after, on some pretense or other, to leave the company").¹⁵ But such people are commonly saved by the

brilliant afterthought, "I should have said . . ."—and that, they tell themselves, would have turned the argument around. How can it ever be certain that the better argument in any particular conversation is the best possible argument? It rarely happens among philosophers, but it is always possible to agree too soon.

Perhaps none of this matters; ideal speech is a thought experiment, and we can abstract from all human infirmities. If conversation itself serves to bring out our infirmities, we can abstract from that, too. Thus Rawls, who acknowledges that, for his purposes, no more than one speaker is necessary. What we hear from behind the veil of ignorance is really a philosophical soliloquy.¹⁶ The argument does not depend on any exchange of views; if we in turn step behind the veil we will simply agree.¹⁷

But Ackerman claims to be describing the way liberals ought to talk to one another. And Habermas's conception of ideal speech is meant to be "compatible with a democratic self-understanding." This is the way citizens would talk to one another, he insists, in a fully realized democracy. So ideal speech reaches back toward actual speech.¹⁸ But what is the strength and extent of its reach? What do we know about actual liberal and democratic speech?

The first thing we know, surely, is that agreement is less likely among liberals and democrats than among the subjects of a king, say, or a military dictator or an ideological or theocratic vanguard. That is why Ackerman's policewoman is necessary; she is a benevolent stand-in for authoritarian censors, though what she enforces is not deference to the ruler but universal deference—toleration for all (tolerant) ways of life. She presses the mass of diverse and discordant speakers toward a special sort of agreement: they must agree to disagree about conceptions of the good. But that agreement simply suspends the argument, and sometimes at least it is necessary to reach a conclusion. What we know about liberal and democratic conclusions is that they are unpredictable and inconclusive. They reflect the indeterminacy of any nonideal and unpatrolled (natural) conversation, in which rhetorical skill, or passionate eloquence, or insidious intensity may carry the day (but only the day). Or, it may be that none of these has any effect at all; the give and take of the conversation, the constant interruptions of one speaker by another, make it impossible for anyone to develop a persuasive argument, and people end where they began, voting their interests or defending an entrenched ideological position.

As Plato's dialogues suggest, the philosopher requires a largely passive interlocutor if he is to make a coherent argument. And since coherent arguments are important in democracies, too (though Plato did not think so), while democratic interlocutors are rarely passive, political debate among citizens cannot always take conversational forms. "Conversation," Emerson wrote, "is a game of circles."¹⁹ But there are times when we need to listen to a sustained argument, a linear discourse. Then what is necessary is a certain freedom from interlocu-

tion, a suspension of dialogue, so that someone can make a speech, deliver a lecture, preach a sermon (or write a book). All these are standard forms of liberal and democratic communication—just as whispering in the ear of the prince is standard in royal courts. The speaker in front of (not in the midst of) his audience, speaking to (not with) the people, making a case: this picture is central to any plausible account of democratic decision making. The speech is public, and speakers take responsibility for what they say; listeners are invited to remember what they say and to hold them responsible. Who, by contrast, is responsible for the outcome of an ideal conversation? The author or designer, I suppose, who seeks however to implicate the rest of us. If we all agree, then there is no one who can be held responsible later on. But democratic politics in all its versions, ancient and modern, depends on “holdings” of just this sort.

If liberalism and democracy sometimes require freedom from interlocution so that arguments can be made, they also require radical subjection, so that arguments (and speakers) can be tested. Hence the importance of judicial cross-examinations, congressional hearings, parliamentary question periods, press conferences, and so on. None of these is conversational in style. They are governed by more or less strict conventions that have little in common with the principles of Habermasian ideal speech. One or more people ask questions; one person, standing alone, must answer the questions—though he can always answer evasively or claim one of the conventional exceptions: ignorance, self-incrimination, the requirements of national security. All answers and refusals to answer are subject to popular judgment.

Democratic citizens speak, listen, and ask questions; they play different roles on different occasions—not all roles together on a single occasion. We might think of communication in a democracy the way Aristotle thinks of citizenship: ruling and being ruled, speaking and listening, in turn. Ideal speech, by contrast, is more like Rousseau’s understanding of citizenship, where the citizens “give the law to themselves,” all of them ruling, all of them being ruled, simultaneously. I do not mean that ideal speakers all speak at once—though that is not impossible if they are reciting the same soliloquy. They speak and listen on the same occasion and in a setting that, in principle at least, rules out both the lecture and the cross-examination. We can, of course, imagine a dialogue across occasions, in which citizens take their Aristotelian turns: I write a book, you write a critique of the book, I write a response to the critique, you write a reply to the response. Let us assume an egalitarian society: there is no relation of subordination or dependency between us. And let us assume that we are honest writers, trying as best we can to get at the truth. It is still an open question whether the exchange will bring us closer together or drive us into polar opposition. Perhaps we will exchange concessions and draw closer—to one another, not necessarily to the truth. Perhaps we will defend, with growing irritation, our starting points.

In either case, our decisions will be at least partly strategic: democratic speech, in the turn-taking sense, has an adversarial quality; we take turns in front of an audience whose support is crucial to both of us. We seek popular support because it seems to confirm our account of the truth and—this is at least equally important—because it serves to make our account effective in the world.

Ideal speech abstracts from all this, creating thereby a more intimate conversation, a political version, perhaps, of Martin Buber’s I-Thou dialogue. Something like this is suggested by Hans-Georg Gadamer, a defender of actual rather than ideal speech, whose defense, however, requires a fairly radical idealization:

Coming to an understanding in conversation presupposes that the partners . . . try to allow for the validity of what is alien and contrary to themselves. If this happens on a reciprocal basis and each of the partners, while holding to his own ground simultaneously weighs the counter-arguments, they can ultimately achieve a common language and a common judgment in an imperceptible and non-arbitrary transfer of viewpoints. (We call this an exchange of opinions.)²⁰

The parenthetical remark has a certain comic quality; we smile because we know that an “exchange” of the sort Gadamer describes may well leave neither partner any the wiser; also that many conversational partnerships, with the best will in the world, will not reach even this far. In any case, the resolute avoidance of antagonism which Gadamer defends hardly reflects a “democratic self-understanding.” It does not usefully account for what happens or even for what might (ideally) happen in the political arena where parties and movements, not only individual speakers, confront one another. Gadamer is describing something closer to deliberation than debate, and he simply assumes the success of the deliberative encounter.²¹

IV

Common language and judgment, agreements and understandings, strong and extensive meetings of minds, are nonetheless necessary to any human society. It is not the case, obviously, that people agree on this or that policy, but they must agree at a deeper level on the rough contours of a way of life and a view of the world. Some things they must understand together or else their disagreements will be incoherent and their arguments impossible. They can have no politics unless they also have what political scientists call a “consensus” on institutional arrangements and lines of authority. They cannot sustain a common life without a set of shared conceptions about the subjects of that life—themselves—and their character, interests, and aspirations. But conversation is only one among many

features of the complex social process that produces consensus and shared understandings. That process includes political struggle (settled, at best, by the force of numbers, not arguments), negotiation and compromise, law making and law enforcement, socialization in families and schools, economic transformations, cultural creativity of all sorts. The understandings that come to be shared will never have been rationally defended by a single speaker who managed to see them whole. Nor do they arise in the course of a debate among many speakers who contribute different pieces of the whole, and who argue until a conclusion is reached incorporating all the pieces. Nothing like that: for no conclusion is imaginable without authority, conflict, and coercion (socialization, for example, is always coercive). And yet the conclusions have some sort of binding force, which derives from the common life that is sustained on the basis they provide.

Ideal speech might be conceived as a way of testing these conclusions, but I am not sure that they are of a sort that can readily be tested. Consider, for example, one of our own deepest understandings: our conception of a human life (social, not biological) as a career, a project, an individual undertaking. The idea of a "life plan" is crucial to Rawls's theory of justice.²² But that is not an idea that can be confirmed or disconfirmed in the original position. Rawls simply assumes that individuals plan their lives, and without that assumption he could not begin to tell us what goes on, what is thought and said and agreed to, by his ideal speakers as they maximize their opportunities and minimize their risks. The idea of a career is, so to speak, pre-original. We know that it has a history, but in the original position it is simply given. How could it ever be the subject of a rational agreement? We would have to imagine human beings who knew nothing at all, literally nothing, about the shape of a human life. And then on what basis would they decide to have careers rather than, say, inherited stations or a succession of spontaneous acts? The actual process through which the idea of a career came to be central to our self-understanding has its beginning in the breakup of traditional communities; it is the product of force and fraud as much as of philosophical argument. And yet, today, we can hardly begin a philosophical argument about social arrangements or theories of justice without assuming the existence of individuals who plan their lives—and who have a right to plan their lives—in advance of living them.

The case is the same with the external conditions of human existence as with its conceptual shape. Men and women who find themselves in the original position or the ideal speech situation will not be able to argue coherently with one another unless they share some understanding of what the world is like and where they are within it. How does their economy work? What are the constraints of scarcity in their particular time and place? What are their political options? What opportunities are offered, what choices are posed, by the current state of science and technology? These are some of the questions covered by Habermas's claim

that, for any effort to construct a society or morality through discourse, there are "limiting conditions" and "functional imperatives" that must be taken into account. If the speakers start by disagreeing about the social and economic parameters within which the meaning of justice, say, is to be worked out, they are unlikely to reach an agreement, later on, about what justice means. Hence, any philosopher who wants to design an ideal conversation will have to assume the existence of, perhaps he will have to specify, a single body of knowledge: the best available social scientific information, certified, I suppose, by the most authoritative economists, psychologists, political scientists, and so on.²³ But how is such knowledge generated? By what means does it come into the philosopher's hands?

The production and delivery of knowledge is, again, a complex social process. Conversation certainly plays a part in that process; we like to imagine that it plays the largest part. In the community of scholars, good talk is all-important; argument is the essential form of scholarly communion. Maybe so; but scholarly communion is not the whole of knowledge production. No one who has sat on a university committee, helped to edit a scholarly journal, fought with colleagues over the content of the curriculum, or reviewed proposals for funding research, will doubt the centrality of politics even in the academy. Here, too, negotiation and compromise precede agreement; here, too, authority has its prerogatives, pressure can be brought to bear, patterns of dominance emerge; here, too, there are interests at work besides the interest in truth. Michel Foucault, who is wrong about many things, is surely right to argue for the symbiosis of power and knowledge.²⁴ The constitution of professional authority and the development of scientific disciplines go hand in hand.

None of this, obviously, produces definitive results, but knowledge production does have *results*. In some academic fields, some of the time, there is a professional establishment and a reigning wisdom (sometimes the reign is brief). In other fields, in other times, there is a determinate set of competing doctrines, each with its expert advocates who, since they cannot reign, reluctantly share power. The competition will always be encompassed within a larger agreement that establishes the boundaries of power sharing. So men and women in the original position or the ideal speech situation will be told, for example, that there are systematic connections between the economy and the political order. But what will they be told about the nature of the connections? That capitalist markets make for a liberal and democratic politics? Or that a really democratic politics is incompatible with market-generated inequalities? Each of these claims is urged with considerable force by rival authorities, who assemble much the same sort of historical and sociological evidence. They are in fact working within a single "paradigm." Ideal speakers will hardly be able to test the paradigm—they have to be given *some* authoritative view of the politics/economics relation.

And it is not clear that they could resolve the debate about markets and democracy (though they could certainly join it) unless they were also presented with a single set of historical and sociological "facts." But whoever made them such a present would thereby determine the resolution of the debate, and that resolution would determine, in turn, the shape of whatever agreement they reached about, say, distributive justice.

The pre-original idea of a career goes a long way toward explaining Rawlsian outcomes. In much the same way, the pre-ideal theory of society (whatever it is) will go a long way toward explaining Habermasian outcomes. Once again, the end of philosophical conversation depends on its beginnings. To say this is not to deny the value of conversation, but only the value of conversational design; it requires us to repudiate the dream of endings that are anything like full stops. We will never be brought to the point where the only thing we can do is to play the part of the Platonic chorus. Design cannot help us, since all its elements, formal and substantive, necessarily precede hypothetical speech; they have to be worked out (and are worked out) independently of any ideal procedure. We can and should talk about the elements; they have an immediate importance; they raise deep questions about freedom and equality and the nature of a human life and the structure of social arrangements. But this is real talk, not hypothetical talk, not ideal speech, not philosophical soliloquy. Hypothetical talk can only begin when real talk has been concluded, when we know what free speech is and in what way ideal speakers are one another's equals and what kind of a life they will have and how their social arrangements work. But real speech is always inconclusive; it has no authoritative moments. I began by saying that I was not interested in speech of this sort. It may be the case, however, that nothing else is more interesting.

But if ideal speech cannot serve as a test of received ideas, perhaps it can serve as a test of the processes (including the real talk) through which such ideas are generated. Should we aim, for example, at a more open debate and a more egalitarian politics? Probably we should, but the reasons for doing so precede ideal speech rather than emerge from it; the freedom and equality of all speakers is the first assumption of Rawls, Habermas, Ackerman, and, so far as I know, of every other philosopher who has written along similar lines.²⁵ At the same time, all these writers also assume the existence of scientific authorities, police-women, and speech designers like themselves—who must also have their real life counterparts. Exactly what the role of such people should be is something we are likely to disagree about and to go on arguing about for as long as we argue about anything at all. And that means that there is no safe and sure conversational design that will protect us against bad agreements and bad disagreements. The continuing argument provides our only protection.

Real talk is the conscious and critical part of the processes that generate our

received ideas and reigning theories—reflection become articulate. Arguing with one another, we interpret, revise, elaborate, and also call into question the paradigms that shape our thinking. So we arrive at some conception of a just society (say) through a conversation that is constrained, indeed, by the ordinary constraints of everyday life: the pressure of time, the structure of authority, the discipline of parties and movements, the patterns of socialization and education, the established procedures of institutional life. Without any constraints at all, conversation would never produce even those conventional (and temporary) stops which we call decisions or verdicts; because of the constraints, every stopping point will appear, to some of the speakers, arbitrary and imposed. They will seek to renew the conversation and, despite the constraints, will often succeed in doing so. In another sense, however, these same conversations are radically unconstrained, for while there may be ideas that are taken for granted by all the speakers, there are no stipulated ideas, none that has to be taken for granted if the conversation is to proceed (nor are the constraints taken for granted). There is no design. Real talk is unstable and restless, hence it is ultimately more radical than ideal speech. It reaches to reasons and arguments that none of its participants can anticipate, hence to reasons and arguments undreamt of (for better and for worse) by our philosophers.

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NOTES

- 1 *The Republic*, F. M. Cornford, trans. (New York: Oxford, 1945), pp. 312-315 (585c-588a).
- 2 At the same time, we support the jury system, because we believe that disinterested jurors are more likely to get at the truth than anyone else. So why not make this a model for all truth-seeking and even for all right-seeking inquiries? The replacement of political debate with an idealized version of judicial deliberation is in fact the goal of a number of contemporary philosophers.
- 3 See Henry David Aiken's "Introduction" to Hume, *Dialogues Concerning Natural Religion* (New York: Hafner, 1951), pp. vii-xvii. On "negative capability," see *The Letters of John Keats*, M. B. Forman, ed. (London: Oxford, 1952 [4th edition]), p. 71.
- 4 Habermas, *Legitimation Crisis*, Thomas McCarthy, trans. (Boston: Beacon, 1975), p. 113.
- 5 Rawls, *A Theory of Justice* (Cambridge: Harvard, 1971), pp. 136-142.
- 6 *Legitimation Crisis*, p. 113.
- 7 *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory* (New York: Columbia, 1986), pp. 292-293.
- 8 Habermas, "A Reply to My Critics," in *Habermas: Critical Debates*, John B. Thompson and David Held, eds. (Cambridge: MIT, 1982), pp. 254-255.
- 9 This is Thomas McCarthy's formula, accepted by Habermas in "Reply," p. 257.
- 10 *Social Contract*, bk. II, ch. 3.

- 11 Ackerman, *Social Justice in the Liberal State* (New Haven: Yale, 1980), p. 24.
- 12 See, for example, *Social Justice*, p. 169.
- 13 Lukes, "Of Gods and Demons: Habermas and Practical Reason," in *Critical Debates*, p. 144.
- 14 Cf. Descartes's account of his desire "to build on a foundation which is wholly my own." *Discourse on Method*, F. E. Sutcliffe, trans. (Harmondsworth: Penguin, 1968), p. 38.
- 15 *Dialogues*, p. 81.
- 16 "Therefore we can view the choice in the original position from the standpoint of one person selected at random." *A Theory of Justice*, p. 139.
- 17 Perhaps that is why Rawlsian theory appeals so much to law professors, who imagine themselves writing briefs that judges, recognizing their impartial wisdom, will instantly accept (and enforce).
- 18 *Social Justice*, ch. 1; Benhabib, p. 283, describing Habermas's program.
- 19 Ralph Waldo Emerson, "Circles," in *Complete Essays and Other Writings*, Brooks Atkinson, ed. (New York: Modern Library, 1940), p. 284.
- 20 Quoted in Georgia Warnke, *Gadamer: Hermeneutics, Tradition, and Reason* (Stanford: University Press, 1987), p. 101.
- 21 For a description of what "democratic talk" is like, see Benjamin Barber, *Strong Democracy: Participatory Politics for a New Age* (Berkeley: California UP, 1984), pp. 173-198.
- 22 *A Theory of Justice*, pp. 92-93, 407-416.
- 23 "It is taken for granted," writes Rawls, that the persons in the original position "know the general facts about human society. They understand political affairs and the principles of economic theory; they know the basis of social organization and the laws of human psychology." *A Theory of Justice*, p. 137.
- 24 See Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, Colin Gordon, ed. (New York: Pantheon, 1980).
- 25 For example: Agnes Heller, *Beyond Justice* (New York: Blackwell, 1987), ch. 5.

RAWLS, HABERMAS, AND REAL TALK: A REPLY TO WALZER*

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In "A Critique of Philosophical Conversation," Michael Walzer criticizes an approach to political theory which relies on what he calls constructed or designed conversations. The point of such conversations, he claims, is the foundational one of justifying claims to truth and rightness by showing them to be the conclusions of a rationally motivated consensus. Legitimate norms and beliefs, in other words, are those which all would agree to under ideal conditions precluding both disagreement and the use of fear or force to achieve agreement. Hence, John Rawls drops a veil of ignorance in front of the parties to his original position; they are conceived of as having no knowledge of their particular goals or circumstances and thus as having no reason to disagree over the principles of justice appropriate to the basic structure of society. Jürgen Habermas constructs an ideal speech situation specifying the rules and relations that would have to hold between participants to a conversation if the consensus achieved were to be won through the rational force of the better argument alone. Finally, Bruce Ackerman employs the device of a benevolent policewoman who enforces strict political neutrality on questions of morality by monitoring "liberal" conversation so that it cannot encompass those ultimate goals and values on which we disagree.

Walzer's general objection to these strategies is that they abstract from the actual political, historical, and social context in which norms and principles are conceived of, assessed, and put into practice. In the first place, he argues, such shared understandings are not the result of conversation alone, but also of political struggle, negotiation, economic transformation, cultural creativity, and so on. Moreover, these historical processes lead to the very social and political understandings on which constructed conversations themselves rely for the principles of their own design. The idea of rational life-plans to which Rawls refers, for example, is not one his original position can validate, but is rather simply presupposed as a crucial factor in choosing principles of justice. Furthermore, Rawls, Habermas, and Ackerman all presuppose the equality of the speakers