1. THE ORIGIN OF DISCOURSE ETHICS IN
APELIAN TRANSCENDENTAL PRAGMATICS

The contemporary German philosopher Karl-Otto Apel is best known for his wide-ranging ‘transcendental pragmatic’ approach to a range of issues in theoretical and practical philosophy. This approach accords argumentative discourse and its essential normative presuppositions a fundamental role in all other philosophical inquiries for which justifiable validity-claims are raised, for example epistemology, normative theories of rationality, critical theory, and ethics. If such presuppositions exist, then any interlocutor’s communicative intention to waive them will conflict with the construal of that debate as rationally meaningful, since it involves the interlocutor in the kind of inconsistency that Apel (like Habermas), drawing on speech-act theory, conceptualises as a “performatively self-contradiction”. Apel (unlike Habermas) develops this concept into the doctrine of rationally definitive justification (Letztbegründung). Apel deserves to be better known as the originator of Discourse Ethics (Diskursethik), the central contention of which – that some presuppositions of discourse have universally valid moral content – he developed in the mid-1960s.

With regard to Discourse Ethics, Apel (1976) contends that all human needs, as potential claims that can be communicated interpersonally, are ethically relevant and must be acknowledged in so far as they can be justified interpersonally through arguments. More specifically, transcendental pragmatics reveals certain normative proprieties in the practice of argumentation. Anyone who wants all competent participants to
act as rational evaluators should require every competent participant to recognize these normative proprieties as ideally regulating their discursive commitments. Apelian Discourse Ethics holds that, of the proprieties that ideally govern rational evaluators’ communities of argumentation according to the regulative idea of an “ideal communication community”, some have a morally significant content for all rational evaluators. The understanding of such content is arguably part of how anyone should understand their role as a subject of argumentation, if they are competent and seriously willing to raise questions and provide answers in argumentation. Apel (1988) favours an articulation of the moral relevance of such proprieties in terms of a moral co-responsibility of actual and possible participants for keeping all their actions in accordance with a generic deontic status of free and equal co-subjects. Whoever is involved in argumentation rationally should want interlocutors to accept certain proprieties of mutual recognition and symmetrical situatedness as binding on anyone so involved; this would ideally regulate the discursive commitments. There is mounting controversy between Apel (1998, 2000) and Habermas over how far Discourse Ethics should accommodate mundane constraints and how it can be “applied” – be made practically relevant.

2. CLASSICAL DISCOURSE ETHICS: APEL AND HABERMAS

Discourse ethics is both a recent paradigm of normative philosophical moral theory (ethics) and a set of beliefs about universally applicable standards for making moral judgments (a postconventional morality or ethos). The original insight that makes the elaboration of discourse ethics a worthwhile pursuit in normative ethics must be credited to Apel, who argued that anyone who takes part in an argument implicitly acknowledges all claims of all members of the communication community if they can be justified by rational arguments (Apel 1980: 277). Apel contended that all human needs, as potential claims that can be communicated interpersonally, are ethically relevant and must be acknowledged in as much as they can be justified interpersonally through arguments. This, together with a substantial normative assumption about the nature of morality – namely that “one should not unnecessarily sacrifice a finite, individual human interest” (ibid.) – led Apel to formulate the following basic normative principle of (Apelian) discourse ethics: “all human needs – as potential claims – i.e. which can be reconciled with the needs of all the others by argumentation, must be made the concern of the communication community” (ibid.).