

Democracy under Pressure: The Destiny of the Idea of an Egalitarian Society in the World Society

Hauke Brunkhorst

During the last 40 years not only the economy but also religion went global. In particular what the author calls network religions, loose coupled sects, and the old Roman Church that strived for a world state since 1000 years, are the winners of globalization. Yet, the prize is high, and it has to be paid by the nation state that looses control over markets as well as over global religious networks, and the public sphere as a whole. The third winners of globalization are the executive branches of the global state-system. The paper starts with a reflection on secularization and the possible dependency of modern democracy on religious sources of solidarity. Author then discusses the problem how religion internally might hang together with the coming global crisis of democracy. The paper finishes with some systematic considerations of this crisis.

Introductory Remarks on Secularization, Capitalism and Democracy

It is widely accepted that today democracy is developed far beyond the level of the global society, and in countries where it works it comes under pressure of globalization. I will here discuss the thesis that not only the globalization of capitalism but as well the globalization of religion exhausts the resources of democratic solidarity. Religion and Capitalism again are in close relation, as we can see dramatically from the global financial crisis of 2008. In the US the religious fundamentalists have voted in Congress against the bailout because there believe in markets and deregulation is not motivated by a scientific paradigm and the neo-liberal episteme but by their belief in Jesus Christ. Yet, as we will see, there exists not only an internal relation between capitalism and religion but also between religion and democracy. Therefore I will begin with some reflections to the present use and meaning of the four concepts of capitalism, religion, democracy, and solidarity.

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(1) Modern *capitalism* in the 1960s and 70s was called *late capitalism*, and this index of time seemed to imply that modern capitalism with free markets of labour, real estate and money, has come to an end. Its final decay was supposed to be only a question of time, political power and successful regime-change. During the 1960s and 70s the leftist alternative seemed to be clear and present. The variety of socialist alternatives was overwhelming. Grassroots democracy, democratisation of the economy, a strong social welfare state, state or market socialism, but socialism (or social democracy) anyway. This was an illusion. Today it seems that there is nothing left from socialism. Social democratic leaders have become neo-liberal defenders of the so called 'Washington Consensus'. Socialism and great parts of the former left, old and new, disappeared, and what's left, is liberal capitalism – ironically with the highest growth rates in China which still is governed by an efficient and authoritarian communist party, and once again we can make the striking experience that the capitalist economy fits very well to every political regime that is efficient, even to a communist dictatorship.¹

Yet, modern capitalism does not, as it is sometimes presumed, exclude solidarity *per se*. The relation between *capitalism* and *solidarity* is ambivalent. Even if the negative external effects of capitalist growth are destroying all the existing social bonds of solidarity, as Marx and others have described again and again, capitalism does not only destroy solidarity, its self-referential “expansion for expansions sake” (Hannah Arendt) also discloses and enables new facilities of human solidarity. Although there is no internal linkage between capitalism and solidarity, as early liberal philosophers like Adam Smith or Jeremy Bentham did believe – free markets, and the accelerated growth of capital, man power, and all forces of production and productivity since the early days of *modern, rational capitalism* (Max Weber) are related *externally* to solidarity, and in particular to the *growth* and *extension* of *solidarity* that is democratic. Globalizing capitalism therefore is a *necessary condition* of a cosmopolitan expansion of solidarity. Without the de-fettered growth of the instrumental and strategic rationality of all productive forces there can exist nothing that looks like John Dewey's “great society”.² As Marx already has put it in the *Communist Manifesto*, anticipating the spirit of American pragmatism: Solidarity or the “unification of workers” was shaped and enabled by the “railway,” “extensive commerce,” and “the improved means of communication that are created by modern industry and that place the workers of different localities in contact with one another.... The unification that took centuries for the workers (*Bürger*) of the

1 Hence, one could modify Max Horkheimer's famous phrase from the 1930s, so that it fits to global capitalism of the early 21s Century: 'Those who don't want to talk about neo-liberal economy should be silent about communist dictatorship.' Horkheimer's original statement (in his essay on the Authoritarian State) was: “Wer vom Kapitalismus nicht reden will, sollte vom Faschismus schweigen.”

2 Dewey 1984.

Middle Ages to attain, given their miserable highways, is being achieved by the modern proletariat in only a few years, thanks to the railways.”³

(2) In the 1960s and 70s not only theories were favoured that predicted the end of capitalism. At that time there existed already a well established social theory that predicted and explained the necessary decay of *religion*, and that was the so called *theory of secularization*. Whereas the theories of late capitalism in the 60s and 70s were broadly accepted by the left and rejected by neo-conservatives and neo-liberals, the theory of secularization united all political and academic parties, and objections came only from a small minority. That the time of *religion* was over, and that religion was going on to be replaced by mere rational enlightenment, seemed sound to political philosophers, functionalist architects, and sociologists as well as to western liberals and eastern dictators. The argument was simple: “Modernization leads to a decline of religion, both in society and in the minds of individuals.”⁴

But during the last 30 years we could observe that neither capitalism nor religion vanished. Contrary, religion today seems more alive than ever before. Even Max Webers old and long ago (as it seemed) rejected thesis of an internal linkage between religious, and in particular *protestant rationalization* and *rational capitalism* now (hundred years after the first publication of *The Protestant Ethic and the Spirit of Capitalism*) came back again, and today it appears more vivid than ever before. It seems that protestant sects are still the ethical avant-garde of capitalism, but other religions follow the same track of rationalization. There is some evidence that religious neo-fundamentalism supports just those values which are most important for today’s rational capitalism, and rational bureaucracy.⁵ Transgressing traditional borders, religion sometimes supports and reinforces strongly the values that neo-liberal capitalism needs for expansion. This is most obvious in case of neo-fundamentalist protestant sects like the *Evangelicals* in Latin America. But in a more moderate version, the same statement seems also true for the sub-Saharan or Asian Islamic fundamentalists.⁶ Sometimes religious groups oppose western capitalism, as many of the nationalist or terrorist Islamic groups like Hizbollah or the Taliban do. Sometimes eventually, religious communities do both, criticise capitalism in theory, and support it (and some of its most important ethical values) in praxis, as it was the case of Opus Dei in General Franco’s late days, or of the Roman Catholic Church under Pope Paul II.⁷

3 Marx 1996, 9.

4 Berger 1999, 2.

5 Roy 2006, 73ff, 105ff, 122ff, 268ff.

6 Berger 1999. 12ff, 16f; Vasques and Friedmann Marquardt 2003.

7 Vasques and Friedmann Marquardt 2003, 165 ff, 180ff.

But religion is very different from modern capitalism when it comes to solidarity. Contrary to markets and capitalism *religion* is *internally* linked with *solidarity*.⁸ Yet, even if it is not opposed to democratic political solidarity, it is far away from being *necessarily democratic*. Anyway, religion was in the past, and still is one of the most important *resources* of societal solidarity and normative integration. Hence, religious communities not always, but often are very critical about the negative externalities of the uncontrolled growth of markets, capital and consumerism, and this criticism sometimes is mixed with a strong criticism of especially western democracy. Even Evangelicals are never in favour of capitalism as such because their priority is the moral and ethical foundation of capitalism. Even if the protestant *ethics* unvoluntarily invents and reinforces the *spirit of capitalism*, both are not the same.

(3) If solidarity is related externally to capitalist growth, and internally to religion, how is *solidarity* then related to the modern, egalitarian, individualistic and universal notion of *democracy*? I have argued elsewhere that there is a very close connection between democracy and solidarity.⁹ Pragmatists like Mead, Dewey or Rorty even have equalized the growth of democracy with the growth of solidarity. They were insofar right to do so, as the modern ideas of *democracy* and *solidarity* are normative concepts which coincide in the *egalitarian* idea of a reciprocal constitution of *individual* and *collective self-determination*.¹⁰ Different from the words “religion” and “democracy” the word “solidarity” is a new semantic invention, not older than the French Revolution, and only decades after the revolution “solidarity” replaced the then much more convenient (and originally Christian) “brotherhood” or “*fraternité*”. From this time on solidarity (in particular in the political use this word) closely is linked closely to democracy and to social movements which strived for democracy, or more democracy.

Later during the 19s and 20s Century the concept was also used in a broader sense by sociologists like Durkheim or Parsons who equated solidarity with the normative social integration of societies. But when it comes to the political system of the modern society the close relation of solidarity and democracy was contained, and came back to the foreground at least in the Habermasian theory of communicative action.¹¹ Yet, one must keep in mind that solidarity is not exclusively something democratic, in particular when it comes to religious solidarity. Not only the Talibans hate democracy, also the protestant church supported Hitler, and – not long ago – the Roman Church was in favour of fascism and military dictatorships, and rejected human rights and democracy.

8 On the internal linkage: Habermas 1981; Habermas 2005.

9 Brunkhorst 2005.

10 Brunkhorst 2005 Chap. I., 3.

11 See in particular Habermas 1992.

(4) On the other hand the relation of modern *democracy to religion* is not less ambivalent. The term *secularization* most prominently was used as a legal category that meant the expropriation of the real estate of the churches by the French Revolution's republican (and strongly anti-Christian) government. Modern democracies replace biblical brotherhood with secular solidarity, and the frequent use of "solidarity" in nearly all new constitutional and international law documents during the last 30 years went along with a further devaluation of the always weak constitutional references to God or some Christian backgrounds or privileges.¹²

But even if modern democracy is a completely secularized project, this project has some striking and internal linkages to the *religious sources of solidarity*. All democratic constitutions combine ideas that originate from two ancient sources, and these are republicanism *and* monotheism.¹³ Roughly speaking, modern democracies take from *monotheism* the ideas of universal equity and of the equal value and worth of each single individual human being – "that all men are created equal" (*Declaration of Independence*). And they take from ancient *republicanism* the idea that democratic equality and freedom need a legal framework and an institutional embodiment, outlined in the constitutional law of check and balances which is called in German (untranslatable) "Staatsorganisationsrecht". Only the reference to the two very different sources of Christian transcendental universalism, and Roman law and Roman republicanism, which already were combined within the Catholic Church since the 12s Century,¹⁴ can explain the specific and highly unprobable dialectical mix of a *never moderated, radical utopianism* with *legally binding, procedural limitations*, which is most characteristic for all democratic constitutional revolutions since the late 18s Century. There is no longer modern democracy once this institutionalized tension between utopianism and legalism vanishes, and democracy faces serious crisis ever when utopianism overrules legalism or legalism represses utopianism.

Now, there are several questions. The first one is, does modern democracy not only historically originate from, but still *depend* conceptually on religious meaning or not? (2) Are there ways out of the strict alternative, either *dependency* or *independency*? Here I guess, the early Habermas has found one plausible way out (3). I then will discuss briefly that the democratic nation state has solved the problem within the realm of a completely secularized society (4). In the last section then I will come to the very question of my talk: What is the possible destiny of democratic solidarity in times of global capitalism, global religion, and global public? (5)

12 Denninger 1994.

13 Brunkhorst 2005, Chap. I.

14 Berman 1983.

Two Theories

There are two reciprocally exclusive readings of the theory of secularization. I will call them *independency-theory* and *dependency-theory*. I start with a brief sketch of the classical 18s and 19s Century, and then switch to the postmodern version of the *independency theory*.

For the *critique of ideology* from Holbach to Marx, from Freud to Sartre, modern political and practical concepts like *enlightenment*, *civil society*, *emancipation*, *state*, *autonomy*, *positive law*, *popular sovereignty*, *universal moral dignity*, *freedom*, *equity*, *democracy* or *solidarity* can be justified completely within an exclusively post-metaphysical and post-theological conceptual framework. From this point of view traditional religion, religious fundamentalism, monotheism or metaphysics are all ideological obstacles on the road towards a better life and a better society. Enlightenment is the great force of *liberation from religious heteronomy*: from “cheating priests” (Holbach), from “opium for the people” (Marx), from “illusion” (Freud). Therefore Marx once argued that we should get rid of the “the nightmare” of “the traditions of all dead generations”.¹⁵ In the same direction Freud went with his famous goal of psychoanalysis, to overcome the dominance of the past over the presence. Only then, Marx argued, we will become free for the construction of our own “substance”, and the “creation” of the “poems of the future”.¹⁶ For Marx modernity is in equal distance to the pagan-republican nightmares of ancient Rome and Athens, and to the religious nightmares of Jerusalem and the Christian Rome. Once modernity is completely developed, all dependency of these nightmares from the European past will disappear.

Postmodernists or neo-pragmatists like Rorty agree with the independency-theory, but they argue (together with Blumenberg and) against Holbach, Kant, Marx or Freud that classical enlightenment is not independent enough from the repressive, elitist and authoritarian universalism of monotheism and metaphysics.¹⁷ We can become independent of Marx’s nightmares. But we can get rid of the nightmares of the past *only* if we get rid of all ideas of justification or self-justification of freedom, democracy and solidarity, because scientific justification is the modern heir of the repressive universalism of monotheism and metaphysics, and self-reflection is only a modernist variation of the Platonic “mirror of nature”.¹⁸ If we forget about justification, validity and all claims of truth, then the nightmares of the European tradition that originate in Jerusalem, Athena and Rome will disappear,

15 Marx 1985, 97.

16 *Op. cit.*, 101.

17 Rorty 1989.

18 Rorty 1981.

and we – different from Marx's expectation – will *preserve* all the great old, but now *harmless* (because invalid) metaphors of the European past for our present use. Because we can make a self-liberating and democratic use of them, we must not ban the old images and burn the old books. Rorty's basic idea is not to overcome metaphysics (like Marx) by changing the *substance* but (like Dewey or Gadamer) by changing the *interpretation*, and to reread people like Marx as people who are revolutionaries, not because of their *discoveries*, but because they have invented new and revolutionary *vocabularies* which enrich our life and enforce our abilities to cope with social problems. Marx was wrong to expect the creation of a new 'substance' from the socialist revolution, but he was right to inspire us to 'create' the 'poems of the future'.

Therefore, Rorty argues, the *domination of the past over the presence* which Marx and Freud were right to criticize, ends together with the end of justification, validity and truth. Only when this end is reached, we will be liberated not, as Marx thought, of all the old metaphors and semantics, but free to use the endless sources of metaphoric meaning *for* our own purposes. Only then we can make an emancipative and egalitarian use of these sources to construct our identity ironically, to transform contingency into individual freedom, to invent inspiring narratives of democratic solidarity. Not *utopianism* parts us from Marx but *justification*. Whereas Marx argues that the partition of objective and universal truth from its melange with oppression is the condition for universal liberation, Rorty argues that only the liberation *from* objective justification and universal truth, makes us free for a reinterpretation of the past that enables us to make a democratic use of all the old metaphors, and to use them as means or instruments of solidarity. If we take away the truth claims, we can see (for example) that the message of the Bible and the message of the Communist Manifesto are both the same, and put them together, to make the world a better place.¹⁹ We should not try to convince everybody that our universal propositions are true but simply try to "expand the reference of us as far as we can."²⁰

On the other side, opposing Marx *and* Rorty, there are proponents of the *dependency-theory*. Political theologians like Carl Schmitt on the right or Walter Benjamin on the left, object the independency-theory, and they defend a thesis which they both have in common, and that is the thesis that all major political concepts of modern society are deeply depending on the Biblical heritage of Europe, and therefore concepts like *freedom, democracy, solidarity, empire, sovereignty, autonomy* etc. can never stand free and independent, or find a justification without reference to religious meaning and substantial religious truth.²¹ Philosophers like

19 Rorty 1998; Rorty 1984, 21.

20 Rorty 1986, 3ff.

21 Schmitt 1990; Benjamin 1978, 693ff.

the late Heidegger or the late Horkheimer agree in this point with Schmitt when they suggest that “only a God can save us” (Heidegger), or that there is “no moral justice without God” (Horkheimer).²² If there is no longer any objective religious legitimacy or justice behind positive law available, then neither – so the right wing political theologians – the state will have a chance to survive when a serious crisis is emerging (Schmitt),²³ nor – so the left wing political theologian – the revolutionary opponents of the capitalist state would have any chance to perform the “waltenden Gewalt” (Benjamin) of revolutionary or divine justice, and to make the one and only revolution that brings the history of decay to an end, to a messianic “still-stand”.²⁴ Dependency on religious meaning in all these cases is something that is transcendental. Whatever we do we cannot avoid it, and if we try we must repress the truth and follow illusory projections of a “Zeit der Neutralisierungen”²⁵ (Schmitt) or false consciousness, commodity fetishism and reification (Benjamin).

Schmitt's basic assumption is that the process of secularization never can reach a rational foundation or a reinterpretation of individual freedom and democratic solidarity that is *independent* from religious, and in particular independent from Christian truth claims. Contrary, every step that follows modern ideas of Enlightenment and rational discourse is a necessary step of decay, and a victory of the Anti-Christ. All we can do to prevent us from accelerated decay (*kat-echon*), is to defend authoritarian state power against all temptations of equal freedom and democratic solidarity. *Secularization* for Schmitt means that concepts which stem from a process of secularization can never emancipate us from their theological origins, and therefore *democracy, popular sovereignty, autonomy, enlightenment*, and so on are damned from the very beginning. “Secularization” in Schmitt's reading is an ironic term that denies its own possibility.²⁶ Walter Benjamin is not

22 An important difference still remains. For Heidegger it “a God”, and that means he refers to a pagan idea of divinity, and for Horkheimer it is the biblical monotheistic God.

23 Schmitt 1990, 49; Böckenförde 1991, 112.

24 Derrida 1991.

25 English: “Times Neutralization”. This is the title of an appendix to Schmitt's essay: *Der Begriff des Politischen*, 1932, engl. transl.: Schmitt 1996.

26 It is against this reading of “secularization”, against which Hans Blumenberg's: *Legitimität der Neuzeit*, (1976) was directed. Yet Blumenberg goes too far to drop the term in defence of the legitimacy of the modern age, simply because Schmitt makes a very idiosyncratic use of “secularization”, which differs completely from Weber, from whom Schmitt took it. For Weber secularization means that, for example, the spirit of capitalism works well even after its religious roots in the *protestant ethics* no longer were vivid. There still remains then a serious problem (of freedom and meaning of life) caused by secularization, and that means by the loss of all ethical roots of this now mere instrumental (“purposive rational”) spirit (see the end of his: *Protestantische Ethik und der Geist des Kapitalismus*). But conceptually Weber had (different from Schmitt, Heidegger or Horkheimer) had no problem to replace the religious ethics of Protestantism by a completely profane ethics through a further rationalization of values (“*Wertrationalisierung*”). It is on this Weberian track, where Parsons progressed with his concept of an ongoing evolutionary process of value generalization (see in particular: Parsons and Platt 1990).

so far from this version of a negative philosophy or theology of history. But there is an important difference.

For Benjamin contrary to Schmitt, there was never a better past, and for Benjamin Schmitt's authoritarian Christian state (with inquisition, torture and *ius ad bellum*) was a nightmare. His political theology relies on the idea of a *weak messianic power* which is completely internal to Modernity and in particular to modern art. His utopia is not the *past* (of a realm of God that already exists since the birth of Jesus the Christ) but the *future*, the coming messianic redemption from all evil. Benjamin's completely unorthodox theological, or as Habermas once called it, his *crypto-theological* point is that modern society destroys all strong (and metaphysical) powers of (as we now can see) false Messiahs, and leaves us only a weak messianic power, which is the power of the true Messiah. Not despite but because of its weakness, his power is strong enough to make the one and final revolution. This is so because the messianic power, for the first time of its long and disastrous history is not completely, but nearly complete internalized within the modern society, hence can transform the society from within.²⁷

Therefore mere inner-worldly forces, *revolutionary action*, *aesthetic performance* or *aesthetic criticism* can disclose the "waltende Gewalt" of messianic justice. The true universal solidarity is revealed by *criticism*, is performed by *works of art*, and – in the end – realized by a *revolution* that is at the same time the performance of divine justice. This revolution realizes the true *messianic solidarity* with all, the living and the dead victims of the so called historical (including social democratic) progress, and it leaves behind us all viable, hence reformist, institutionally limited and legally self-organized versions *democratic solidarity*. In Benjamin clearly utopianism trumps legalism.

Different from Marx for Benjamin the paradigm of *criticism* is not the *critique of ideology* but *aesthetic criticism*. Hence, a radical critique of modern society, Benjamin argues, presupposes not only (with Marx) the unchaining of all forces of technical productivity, but also (against Marx) the unchaining of the latent, and only in vanguard works of modern art present actuality of the biblical tradition. The *humpbacked gnome* ("bucklig Zwerg") of theology must become the secret director of the Marxist project. For Benjamin the socialist revolution in the end is worth for nothing if there is no material equivalent for redemption and resurrection realized.

To conclude: Benjamin coincides with Schmitt's fundamentalist criticism of liberal and social democratic progress, but for him the potential that leads out of the

²⁷ Benjamin has developed the idea of a weak messianic power in close contact with his friend Theodor W. Adorno, and it is obviously a unorthodox mix of Jewish, Christian and historical-materialistic sources.

“catastrophe” of *all* former history, on which Paul Klee’s famous Angel of History looks back, is nothing else than a *self-radicalization of modernity*.²⁸ It is here where Benjamin’s idiosyncratic (*eigensinnige*) version of modernism and criticism becomes relevant for Habermas’ theory of communicative action.

Habermas Solution: “*Rettende Kritik*” and Inclusion of the Other

Jürgen Habermas in the early 1970s has made a pathbreaking attempt to reinterpret Benjamin’s basic idea of the weak messianic power of aesthetic criticism in terms of a theory of communicative action.²⁹ For Habermas Benjamin’s idea of aesthetic criticism is interesting not because of the idea of a messianic revolution that ends all revolutions and all history, but because in important aspects Benjamin’s aesthetic criticism fits to an unrestricted, no longer technically or functionally one-sided, and no longer stubborn instrumental interpretation of rationality that is modern. It appears to Habermas that there is a plausible way, to reconstruct Benjamin’s crypto-theological idea of aesthetic criticism within the categorical framework of a theory of communicative rationality.

Habermas agrees with Marx and Benjamin that the democratic, liberating and productive potential of the modern society, in some important respects is repressed by modern capitalism, class rule and other forms of structural domination. But one of the strong post- or neo-Marxist points of the theory of communicative action is that it covers both, Marx *and* Benjamin, because it replaces the old Marxist idea of the unchaining of all the *productive forces of technical productivity* by the post-Marxist idea of unchaining all the *productive forces of communication*. This includes, at the one end of a communicative continuum of practices that even the potential of technical productivity can be made explicit only in reaching an understanding in a *theoretical discourse* – and the basic idea of communicative power includes at the other end of the same continuum, the interpretation of the world in the light of our needs (including the need of redemption from injustice, suffering and oppression), and this interpretation of our needs, Habermas argues later in his *Theory of Communicative Action*, can be made explicit only by *aesthetic criticism* or *expressive (or therapeutic) discourses*. To do the latter we must make use of the semantic potential of the past, and to do this, we must take seriously the claims of validity which are related to the old narratives and past ideas of tradition.³⁰

28 W. Benjamin, *Begriff der Geschichte*.

29 Habermas 1972, 173–223.

30 This idea goes back to interpretation of Freud in: Habermas 1968.

This is the reason why Habermas calls Benjamin's version of aesthetic-theological-political criticism *redemptive* criticism ("*rettende Kritik*") which he distinguished already in his 1972 Benjamin speech from the *consciousness raising* critique of ideology ("*bewußtmachende Kritik*"). With this distinction Habermas decentres both redemptive as well as consciousness raising criticism. Whereas for Benjamin *redemptive criticism* still was the one and only revolutionary method of criticism, and whereas for Marx it was the critique of ideology that made a similar claim to totality and total truth, Habermas theory of communicative rationality *pluralizes* the universe of critique into a lot of different perspectives which do no longer cover the old Hegelian and Marxist unity of reason and reality or reason and revolution. Therefore Habermas idea of "*redemptive criticism*" resembles in some respects Rorty's *radical reinterpretation* of traditions, but there is an important difference.

For Rorty it is just the *loss of validity and truth* that is needed to disclose the semantic richness of the past for present expropriation, whereas for Habermas the disclosure and radical reinterpretation of the tradition presupposes that we take the metaphysical or theological *validity claims* of the past seriously. This is what connects him with Benjamin and parts him from Rorty. For Habermas it is in particular the loss of these claims that *closes* the access to the semantic richness of the past which is needed to create *new* identities, and *new* narratives of solidarity. Only our claims to validity, which are co-original with the evolution of communicative language, connect the past with the future through our present talk. The point that Habermas makes with Benjamin is that the sources of radical reinterpretation and public solidarity *can be dried out through the repression of validity claims which are related to the semantics of our tradition*.

For Habermas this conjecture has two implications: *First* redemptive criticism implies that there is no democracy without a political (or practical) idea of *truth*. It only must have a post-metaphysical meaning. *All* who are concerned have to be included within the process of collective self-determination, and if it comes to the way we organize our relation to the tradition publicly, then also those who are no longer able to talk have to be represented in a public discourse that claims to be valid for everybody. That's why Habermas argues today as he always did, that a "post-truth-democracy could be no longer democratic".³¹ *Second*: Repression and domination have not only, as Marx or Rorty suppose, the materialist or social structural meaning of *economic* expropriation and *political* oppression, but also, as Bloch, Benjamin and Adorno or later Foucault and Judith Butler did argue, the *ethical, cultural, or meta-political* meaning of discourse-power, discourse-police, semantic exclusion, silencing etc. Therefore the truth claims of the silenced voices

31 My translation. The German original goes: A "post-truth-democracy"... wäre keine Demokratie mehr": J. Habermas, "Religion in der Öffentlichkeit", in Habermas 2005, 119–154, hier: 150f.

matter when it comes to a public discourse about the way of our common life, in local communities as well as in global communities/ community.

The point Habermas makes against Marx *and* Benjamin is that *conscious-raising critique of ideology* does not necessarily exclude *redemptive criticism*, and vice versa. Both versions of modern criticism raise complementary claims to different aspects of truth in an open spectrum of different discourses. The *distinction* of these two types of criticism can be integrated into a post-metaphysical and secular framework of discourses, and hence overcomes the contradiction between the independency- and the dependency-theory on the grounds of communicative rationality that is modern. The idea of *redemptive criticism* opens the *independent* and self-reflexive realm of autonomous discourse for validity claims which *depend* on the semantic potential of the past. What is true with the dependency theory is that there is no sufficiently *universal, equal* and *free* public discourse if it is – as Rorty or Marx presuppose – closed against the claims of validity that stem from the voices of the past. But on the other hand any undistorted practical discourse presupposes self-reflexive autonomy, egalitarian access, freedom of speech etc.³² Therefore all the repressed, silenced, lost and forgotten voices of the past can come back as present voices within the modern discourse, if and only if we drop any idea of higher truth, and pose for the voices of the past the same counterfactual claims to validity as we do for any to other proposition.³³

Habermas needs from intellectual projects like Benjamin's crypto-theology, Adornos negative dialectics or Derridas's deconstructivism that, what can be rationally reconstructed in terms of communicative rationality, and that is a theory of redemptive criticism, and he needs it *first* because *communicative rationality* has the same extension as *universal solidarity*. Communicative rationality is only the discursive side of the performance of solidarity. It is not parted from, but belongs to the performance and expression of solidarity. Habermas *second* needs a rationalized equivalent for that kind of *universal solidarity* that Benjamin (or Horkheimer) always had in mind and that was present in all monotheistic religions, simply because the communicative concept of truth implies universal acceptability for all potential speakers, dead or alive, born or unborn. For Benjamin (and Horkheimer) a truly universal solidarity not only must include all potential (and actually may be silenced) speakers (or all men) who are living today and in future, but also those who cannot raise their voices because they are dead. As Habermas demonstrates, any reconstruction of Benjamin's redemptive criticism in terms of communicative rationality must drop the religious hope that

32 On undistorted ('*unverzerrte*') vs. distorted ('*verzerrte*') communication see Habermas 1968.

33 Habermas, *Kommunikative Freiheit und negative Theologie*, 15–34.

all men *substantially* should be re-present-ed, but he keeps the idea of a virtual participation through present *interpretation*.

Yet, even if we – for sake of the argument – accept this rational and post-substantial, hence post-metaphysical reconstruction of Benjamin's *weak messianic power*, there remains a conceptual problem with the religious sources of solidarity. The very problem is not a problem of understanding Benjamin, the problem is that the communicative constructions and reconstructions of redemptive criticism, expressive discourse etc. *do not cover*, and *cannot make explicit* the “opaque core of religious experience”.³⁴ The problem is that there exists a stubborn religious experience in society, and this experience keeps *first* “abysmally alien” (“*abgründig fremd*”) for a “thinking that is discursive”, and *second* this experience is not simply irrational or un-enlightened. Contrary it still works as a *reasonable* or *comprehensible source of public solidarity*. It is reasonable or comprehensible because the religious sources of solidarity still create important (theological and philosophical) *arguments*, inspire *practical learning processes*, motivate the (sometimes and in some respects) reasonable use of *political communicative power*. Religious experience therefore, and insofar as it is an important source of public learning processes, is not a private but a *public matter*.

Even extreme criminal actions of fundamentalist groups are not only a problem of public security and penal justice, they also can – and Derrida (in his Adorno-speech) *and* Habermas (in his Friedenpreis-speech) have done that immediately after September 11 – remember us that western perspectives could be one-sided, exclusive, silencing, that our way to perform secular politics could not be secular enough, that our liberal universal cosmopolitanism could be latently imperial and repressive. Terrorism comes not out of the blue or out of the evil heart of darkness. Terrorism, anti-western nationalism and other more or less aggressive fundamentalist movement have *social* causes, which are different from case to case, but usually hang together with the experience of repression, expropriation, torture, colonialism, imperialism. They have these *social causes*, even then if the *reasons* given for anti-imperial activities are the worst.

The Nation-State's Solution: Exclusion of Inequalities and Imperialism

The Habermasian idea of overcoming the contradiction between the independency- and the dependency-theory on the grounds of communicative rationality comes close to but never reaches the core of religious experience, which remains opaque. But the Habermasian idea seems to fit very well to what one could call in Rawlsian

³⁴ Habermas 2005, 150 (also the following quote from here).

terms the ideal theory of a modern democracy. This is so because up to now the modern democratic public sphere despite all its faults, seems to be capable to open itself again and again for *any* claim of excluded voices to validity, and to *learn* from these voices, hence to transform the *many* and *overlapping* clashes of civilization and social classes which modern society does produce, construct and experience every new decade, into a radical reformism that leads to the “inclusion of the other”.³⁵ The political idea of the *inclusion of the other* misses the ‘opaque’ and ‘abysmally alien’ core of religious experience, but it is the best translation of the Jewish-Christian hope for redemption into a completely secularized public language we have, and it is not only a translation into the language of a philosophical discourse, but also a translation into the language of constitutional law.

Since the democratic revolutions of the 18th Century we can observe an impressive progress of social and institutional learning which regularly led to the inclusion of formerly excluded voices, persons, groups, classes, sexes, races, countries, regions etc. In the words of Rawls: “The same equality of the Declaration of Independence which Lincoln invoked to condemn slavery can be invoked to condemn the inequality and oppression of women.”³⁶ The experience of a successful learning process of social inclusion can be, and has been stretched to the virtual voices of dead generations as well as to the real voices of non-western cultures.

Yet, the reality of western democracies often looks different, and the faults and even crimes against international law, violations of human and civic rights reach from symbolic exclusion over imperial war to the declared or non-declared state of siege. The story of impressive normative learning processes is not the whole story. If we tell the whole story then we have to accept that in a lot of cases (and in some way in all cases) the expansion of social inclusion was for the price of new exclusion, or new forms of first latent, later manifest oppression. The history of western civilization and western democracy is not alone a success story of expansion through the inclusion of the other. It is at the same time a story of expansion through imperialism. Since the first European division of the world in the Treaty of Tordesillas 1494 between Spain and Portugal imperialism vanished and reappeared with ever new means, and under ever new covers and labels, even anti-imperialist labels.³⁷ It is true that the many faces of imperialism are always followed by ever again new pushes of social inclusion. But the story is also true the other way round. From the Christian rubbers, missionaries, inquisitors and humanists since the 16^s Century, including Vitorias vehement criticism, over the project of civilizing the heart of darkness since the 18^s Century, including both perspectives

35 J. Habermas, Die Einbeziehung des Andern.

36 Rawls 1993, XXIX.

37 Anghie 2004.

that of Kurtz and that of Marlow, followed first by the humanist project of the gentle civilizers of nations since the 19s Century³⁸, followed then by decolonization, developmental politics and nation-building since the 1960s, towards humanitarian intervention and the war on terrorism in our present days, – every expansion of inclusion, every new emancipation, every expansion of democracy and human rights was at the same time a reinvention of exclusion and oppression, and even the present state of inclusion of the other in the new cosmopolitan civil society sometimes appears to be nothing else than the expression of the highly exclusive “class consciousness of frequent travelers” as us.³⁹

But all this does not change the fact that all modern democratic constitutions are relying on the one universal legal principle of the *exclusion of inequalities*.⁴⁰ I would call this with Christian Joerges the *facticity of normativity*.⁴¹ The normative facticity of the exclusion of inequalities becomes manifest when communicative power appears as the “power of revenge”, as “rächende Gewalt” (Habermas). Legal text books, and in particular constitutional text books are not only talk, they are “objective spirit” (Hegel). They can be misused, they can be implemented by and in the particular interest of a small ruling class, but they also “can strike back”.⁴²

Yet, the *objectivity* of the constitutional *spirit* of the revolutions of the 18s Century is the modern nation state. This state always had many faces, and they include the Arendtian face violence, the Habermasian face of administrative power, the Foucaultian face of surveillance and punishment, the faces imperialism, colonialism, war on terror and so on. But the nation state, once it became democratic, had not only the *administrative power of oppression and control* but at the same time the *administrative power to exclude inequalities* with respect to *individual rights, political participation* and *equal access to social welfare and opportunities*. Only the modern nation state had not only the *idea* but also the *power* to do that. Up to now all advances in the reluctant *inclusion of the other* are advances of the modern nation state. National constitutional regimes have solved the *three basic conflicts* of the modern capitalist and functionally differentiated society. They have solved the crises of the

1. *religious civil wars* from the 16s and 17s Century (which the absolutist monarchies of the 17s and 18s Century or the developmental dictatorships of the 20s century only could repress relative effectively),

38 Koskenniemi 2001.

39 Calhoun 2002, 869–897; see also: Calhoun, 531–553.

40 Marshall 1992, 33ff; Stichweh 2000, 52.

41 Joerges and Vos 1999.

42 Müller 1997, 54.

2. *constitutional fights over public autonomy* (or public autonomy vs. administrative power) from the 18s and 19s Century,

3. *social class conflicts* from the 19s und 20s Century (which authoritarian or communist regimes only could repress, and regularly at cost of the lowest and weakest classes or ethnic or religious or other groups).

In the end it was the advance of egalitarian mass democracy that transformed the bloody revolutionary fights over public autonomy into a *permanent and legal revolution*.⁴³ And it was the legally limited yet still untamed utopianism of democratic constitutional regimes that tamed the social class fights of modern capitalism by implementing the freedom of markets *together* with the freedom *from* the negative external effects of markets, and it was the communicative power of the same legal utopianism that implemented the equal freedom *of together* with the equal freedom *from* religious and other belief systems.

In all these cases of revolutionary conflicts, the modern democratic nation state could disclose two sources of solidarity and fuel social change and radical reformism from the still existing *religious sources* as well as from the new and independent *profane sources* of solidarity, which were the original invention of 18s century enlightenment.

5

The modern nation state until 1945 was the state of the regional societies of Europe, America and Japan, and the rest of the world was either under their imperial control or kept outside. The *exclusion of inequality* until the mid of the 20th Century did mean internal equity for the citizens of the state, and external inequality for those who did not belong to the regional system of states. There was even no serious or legal claim for a *global* exclusion of inequalities.

Yet, during the time from 1945 to the present days classical imperialism (not hegemony) vanished, euro-centrism was completely decentred, state sovereignty was equalized, the state went global, and together with the globalisation of the modern constitutional nation state all functional sub-systems which – from the 16s century until 1945 – were bound to state power and to the regional societies of Europe, America and Japan, became global systems. Even the rational and secular, *regional culture* of Europe and North America has become a rational and secular *culture of the world*, and it constitutes the basic orientations of all main

43 Justus Fröbel, quoted from: Habermas 1989.

actors of the global society – of states, organizations and human individuals.⁴⁴ At the end of the 20s century human rights violations, social exclusion of global and local regions and tremendous inequalities did not disappear. But now (and this is the difference between the beginning of the 21s and the 20s century) they are perceived as *our own* problems, and not only because we need each other to solve our specific problems but because we now *have* serious and legally binding claims for a *global exclusion of inequalities*.

The dependency of the life of *all* human individuals from access to the educational and the economic system, which is just a brutal fact, together with the shaping power of the existing world culture, makes individualism and rational life plans unavoidable for everybody without a single exception. This global society is a *completely secularized society*, with rational power politics, positive law, experimental sciences, academic professions, autonomous art, instrumental economy and technique, a *secularised* global human rights culture, global mass culture and a global semantics of political and economic progress, and last but not least an *autonomous sphere of religious values* – which stands not *vis à vis* but is located *within* the modern, functional specialized, hence secular society.

The most dramatic effect of this process of the formation of the global society is the decay of the ability of the nation state to exclude inequalities – even within the highly privileged OECD-world. This becomes very significant first with the *economic system*. Here we can observe the complete transformation (1) of the *state-embedded markets of regional late capitalism* into the *market-embedded states of global Turbo-capitalism*.⁴⁵ Yet, surprisingly enough, when it comes to the religious sphere of values, we can make a similar observation. Also religion went global, was decontextualized, individualized, universalized, deterritorialized, detraditionalized, in particular by the strong impact of fundamentalist movements of all modern religions.⁴⁶ Hence, the global society makes the same proposition that is true for the capitalist economy, true for the autonomous development of the religious sphere of values. We now are confronted with the transformation (2) of *state-embedded religions of the western regional society* into the *religion embedded states of the global society*.

During the last three decades the freedom *of and from* markets and the freedom *of and from* religion to a certain amount have been (not de-regulated

44 On global culture: Meyer 1997, 144–181; Meyer 2005.

45 Streek 2005. As we now can see, the talk about *late* capitalism was not wrong but has to be restricted to state-embedded capitalism, and state embedded capitalism indeed is over. But what then came was not socialism but global disembedded capitalism which seems to be as far from state embedded capitalism of the old days as from socialism.

46 Roy 2006; Berger 1999; Vasques and Friedmann Marquardt 2003.

but) *deconstitutionalized*. The first striking effect of this deconstitutionalization is that the freedom (and heavy, sometimes war-like competition) *of* markets explodes globally, and the freedom *from* its negative externalities decays rapidly. And the second striking effect is that the freedom *of* religions explodes, even sometimes as much that it leads to religious war, but at the same time the freedom *from* religion comes under pressure of a global public.

The rapidly emerging *global public* also has emancipated itself from the bonds of the nation state, and therefore also has been *deconstitutionalized*. What becomes obvious now, after the experience that the feather of a cartoonist of a Danish provincial newspaper can cause a global hurricane, is that the global public not only enables the first flourishing of a cosmopolitan civil society, but at the same time lacks all the constitutional regulations and the dense legal networks that only can guarantee the *equal* freedom of speech, and that existed up to now only within the democratic nation state.⁴⁷ What is a loss for the civic public sphere that is caused by its globalization, appears on the other side as a gain for the public power of the states executive bodies who quickly have learned to increase their global and national power by acting in concert – on the cost of democratic control by a strong public, by parliaments and judicial review. Hence, also for the global public, the great hope of a globalization of deliberative democracy, it seems that again the same proposition that is true for capitalism and religion becomes true for the global public. With the turn (3) from a state embedded public sphere and public administrative power to public and public power embedded states we have to experience the return of the old European problem of heavy fights over public autonomy. Yet, all the nightmares that appeared in Europe one after the other, each with a comfortable time distance of hundred years, now all appear at once on a global scale: Hard times for democracy and solidarity. But, may be the capacity of the global society to solve problems is grown with all the new media of communication, and now big enough to cope also with the return of class fights, religious civil wars, and constitutional revolutions. If the prophecy that appears with the end of global Reagenism and the decay of the US Empire in the global economic crisis of 2008: “There Will be Blood” (USA 2007, Regie: Paul Thomas Anderson), shall not come true, what is needed then, is a new New Deal, but for this time it can no longer work in America or any nation-state alone but must go global.

47 Sunstein 1993.

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