



25th IVR World Congress
LAW SCIENCE AND TECHNOLOGY
Frankfurt am Main
15–20 August 2011

Paper Series

No. 015 / 2012

Series B

Human Rights, Democracy; Internet / intellectual property, Globalization

Eduardo C. B. Bittar

Democracy and Social Utopias: A
Study about Albrecht Wellmer and
Axel Honneth

URN: urn:nbn:de:hebis:30:3-248732

This paper series has been produced using texts submitted by authors until April 2012.
No responsibility is assumed for the content of abstracts.

Conference Organizers:

Professor Dr. Dr. h.c. Ulfrid Neumann,
Goethe University, Frankfurt/Main
Professor Dr. Klaus Günther, Goethe
University, Frankfurt/Main; Speaker of
the Cluster of Excellence “The Formation
of Normative Orders”
Professor Dr. Lorenz Schulz M.A., Goethe
University, Frankfurt/Main

Edited by:

Goethe University Frankfurt am Main
Department of Law
Grüneburgplatz 1
60629 Frankfurt am Main
Tel.: [+49] (0)69 - 798 34341
Fax: [+49] (0)69 - 798 34523

Eduardo C. B. Bittar, Sao Paulo/ Brazil*

Democracy and Social Utopias: A Study about Albrecht Wellmer and Axel Honneth

Abstract: This work intends to analysis the philosophy of history and to discuss the consequences of this death to the Critical Theory. The concept of reason and the devices of democracy and human rights are discussed in a revision of the historical debate about the end of history operates the life in the interior of the modern society, especially about the intellectual condition at the information society.

Keywords: Democracy - Modern reason - Social utopias – Critical Theory – Axel Honneth.

I. About history and theory fallibility

The human worldliness is a graveyard of injustices; the history gathers unburied corpses, mortal remains and the lethal doses of human reality. Hence, if we can only extract potentials of historic importance from the emancipatory theories and exemplary experience, we also must evaluate if these theories provide the correct and appropriate subsidy for these changes. To overcome, transcend or transgress this state seems to be a human desire since long ages and an intention of all behaviour orientation systems, from the religious to the morals, from politicians to philosophers. Philosophical systems are not, therefore, the only ones that are motivate by the impulse of reality transformation from an ideal. Modernity has built its own ideals, and many of them are the possible horizon of the thinking in contrast with the state of affairs. Anyway, the intention to overcome the state of affairs answers to a fair pulsing of life and self-overcoming, in human condition, that express a transformer desire that also reveals a noble feeling. But, this pulsing has to be evaluated also by its unreality.

The worldliness experience involves, in the acceptance of fallibility, the recognition of our poorness condition. If we can demand too much from the thinking, we cannot demand too much from the others, and from the complexity that it is extracted from the socialization processes. The otherness, the regulation of social life, the complexity of factors living in the contemporary social atmosphere create storms in a way that block a clear vision of the intact enlightenment horizon.

*Associate Professor and Doctor, Associate Professor of the Philosophy Department and General Theory of Law of the Law School of University of São Paulo (Brazil). Professor and Researcher of Master's Degree in Human Rights of UniFIEO (Brazil). Researcher N-2 of the CNPq (Brazil).

When the Social Theory and the Criticism of Law cast the eyes over their research object, they must admit that life in society cannot be made by mathematics, that is why the theory is fallible in face of reality; all theoretical must recognize that the theory is also expression of subjectivity and, therefore, an expression of powerlessness, incapacity, disability, deviation, which results from the rational subject's own history.

If philosophical utopias feed real transformations, it is also true that the philosophical utopias are formed from self-inoculated truth. At this point, the philosophy fallibility must be recognized, and it is a necessary recognition of a partial castration, that does not harm the broader role that the philosophical reason performs in the social life. It should not be an invitation to inertia, instead it must be seen as narcissistic self-restriction to the hypertrophic claims, which are the birthplace of personalism in the political philosophy, and therefore, walk in the way of justification of concrete and heroic expressions of the one-person dictatorship and the totalitarian regimes. The world will not be shaped into our own image and similarity, and will not be converted into the narcissistic mirror of itself, even depressing the theory and even that it means a lethal nib to the constitution form of the modern Cartesian Subject (Sc), and to the anthropocentrism from the beginning of modern life.

Therefore, it must be diagnosed that the transformative revolutionary ways are exhausted. In fact, from the present time diagnosis it must be capable to identify, as a philosophical task, the serious politician deficit of the big cotemporary democracies. The month of May of 1968 already meant a historic sign of the citizen alteration in the history, no more the working class in evidence, but the student movement, and the several identity movements instead. Nowadays, it can be computed: unorganized workers, political apathy, trade union bureaucracy, partisanship of State, rising of the working class as consumers, demobilization of student movement, social disinterest of elections, elitism of the democratic debate, promiscuity between the private interest and state interest; among other factors that create the utopian exhaustion sensation in the social atmosphere. The individualism only intensifies this sensation of amorphous distension of social life.¹ The today conclusions are the same of the 1920 decade of the 20th century, in which birth and motivation were given to the birth of the so called first generation of Frankfurt School.

¹“Allí donde la sociedad civil ‘se despliega con toda su eficacia y sin estorbos’, ya no hay ligadura comunal que valga, ya no hay preocupación alguna por el bien común, ya no hay escrúpulos morales que pudiesen poner coto a la destrucción social, cuyas víctimas son los perdedores en esa competición universal por los bienes materiales, por el poder, por el dinero y por la felicidad” (Albrecht Wellmer, *Finales de partida: la modernidad irreconciliable*, 1996, 47-48).

II. To think under the shadow of the Berlin Wall

When thinking under the shadow of the Berlin Wall, it is important to consider the Wall in fact, to be taken into account when calculating the politic risks of contemporary utopian social projects. It is impossible to come back and collect every piece of the Berlin Wall to construct it again. In *The post-modern political condition*, by Agnes Heller and Ferenc Féher, is stated that: “Any type of redemptive politic is incompatible with the post-modern political condition”.²

In these times, it is symptomatic that the anarchist-libertarian of May 1968 Daniel Cohn-Bendit, in a current interview affirms that: “In 1968, we wanted the transformation of society by revolutionary process, but this is only possible inside the democratic institutions”. Right after he declares: “Forget 1968!”, hailed in 27th August of 2010, in Porto Alegre, Brazil. The same question had been discussed with Professor Dr. Axel Honneth, in the 4th International Symposium on Justice, “Justice and Recognition: in Honor of Axel Honneth”, In September 29-October 1, 2009, in Porto Alegre (PUC-RS), Brazil, with the same conclusions. The social depression and the sensation of bankrupt of criticism are deeply associated to this condition in which reigns the impotence of transformation.³ There are old, medieval, modern utopias, being that the death of the search for a universal social utopia, define the social matter and post-modern philosophy, as scenario of reassessment and imagery stagnation, in the critical self-reflection depths about modern life.

There it is implicated the discussion about the death of the western reason, after Adorno. In his book of 1985, *About the dialectic between modernity and postmodernity (Zur dialektik von Moderne und Postmoderne)*, Albrecht Wellmer affirms that: “...trata de articularse la conciencia de hallarse en el umbral de una época cuyos contornos son aún confusos, poco claros y ambiguos, pero cuya experiencia central, sin embargo – la muerte de la razón – parece apuntar al final definitivo de un proyecto histórico: el proyecto de la modernidad, el proyecto de la Ilustración europea, o incluso, por último, el proyecto de la civilización grecooccidental”.⁴

²Agnes Heller; Ferenc Fehér, *A condição política pós moderna*, 1998, 14.

³But, the strongest demonstration of theoretical equilibrium is found in the word of Slavoj Zizek: “If that was the case, perhaps the post communist deception should not be discarded as a sign of immature expectations. In the protests against the communist regimes in the Eastern Europe, most of the people did not ask for capitalism. They wanted solidarity and a kind of brutal justice, they wanted liberty to live their lives out of the state control, they wanted to get together and speak the way they wanted, and they wanted to get free from the primitive ideological indoctrination and from hypocrisy. They yearn something that could be better described as ‘a socialism with human face’. Perhaps this opinion deserves a second chance” (Slavoj Zizek, Pós-muro, *in Piauí*, n. 40, Jan. 2010, 47).

⁴Albrecht Wellmer, *Sobre la dialéctica de modernidad y postmodernidad: la crítica de la razón después de Adorno*, 2. ed., 2004, 49.

III. The risks of radicalization of modernity

However, the utopias are still representing a key role of social renewal, for the historic scenarios tend to purify themselves; if they are not modified by the action of men, they are modified by the ruthless nature of history; the history here is more than the history of men, and also more than the concept we assign to it. Therefore, the history must have a new sense, and that means the attempt for new social utopias. The revolutionary utopias are infected by the subject which they intent to overcome. That is the reason why modernity creates nameless human catastrophes as the Holocaust. In *The global crisis of civilization: the future challenges*, in the thoughts of Agnes Heller, the following affirmation: “The totalitarianism was – or is – one among them Born in Europe, it is the intellectual ugly child of modernity, but it is quite modern”.⁵ In the same idea of analysis, considering the 20th century balance, in the chapter *The meaning of the civilizing process*, of the book *Modernity and holocaust*, the sociologist Zygmunt Bauman affirms that: “The modern civilization was not the sufficient condition of the Holocaust; it was, however, with no doubts, its necessary condition. Without it, the Holocaust would be unthinkable. It was the rational world of the modern society that turned the Holocaust possible”.⁶

Therefore, the radicalization of modernity is in risk to lead to the maximization of instrumentality. The project of removal or review of modernity must pass through the critics sieve of the excess that are inside it, which reveals that the modernity elevated to its maximum power leads the humanity to self-destruction, because along with its light side, there is the dark side. The modern life has its paradoxes, those indicated by Adorno and Horkheimer, in *Dialectic of Enlightenment*, however, these paradoxes must be mitigated, in favour of acceptance of a convenience possibility between liberty and equality. Therefore, it is not a matter to oppose Locke to Marx, nor oppose Smith to Lenin, instead it is a matter of thinking the continuing and current challenges of modern life, in its current stage. And that, especially because the modern life implies an amount of irreversible needs, which cannot have its end declared, like in the threshold of its appearance, and essentially, right after the French Revolution.

The radicalized modernity is not a synonymous of liberty or equality. That is why the revolutionary attempt to free modernity from the instrumental reason can, itself, represent a kind of instrumentalization. The liberal revolutions are forms of this process performance, and establish the completion of modern life trapped by the technique and encapsulated by the

⁵Agnes Heller, Uma crise global da civilização, in: *A crise dos paradigmas em ciências sociais e os desafios para o século XXI*, 1999, 20.

⁶Zygmunt Bauman, *Modernidade e holocausto*, 1998, 32.

alienating power. Therefore, the hidden face of modernity prevents the desire for more modernization. Despite that modernity is not in the end, and despite that modernity cannot be surpassed but by its own means, and in its interior, the dialectic vision must prevent the theory to be rescued from the action related to the performance of history emancipation. These are some problems which a contemporary theory of transition cannot ignore, and of which must be taken into account, if intended to propose the termination of class oppression.

When visiting, historically, this theme, it is noticeable that there are serious issues poured in the discussion about modern rationality concerned, becoming, therefore, appropriate to review its dictates and formats. This is because the modern reason was made of excess and that history needs to be surpassed. The intention of omnipotence of the modern reason must be reviewed to be criticized and surpassed. Many of the modern utopias were constituted from these rational intentions, and a clear example can be collected in the libertarian ideals whose excesses are clearly motivated by the modern rational idealism. The incalculability of all modern rational project is the possibility to cross with the *other*, this complementary-opposite-different-human disturbing the accommodation of rational purposes, between the immediate action and the expected results. “We need to evaluate the evidence that *the civilizing process is, among other things, a process of despoiling the moral evaluation of the use and exhibition of violence and emancipate the yearning of rationality of the interference of ethical standards and moral inhibition*”.⁷ Therefore, the abuses of the modern social planning are strictly linked with the unpredictability or denial of the other’s political place.

The matter is the limit of reason, and therefore, the limit of science, which cannot be previewed, and hence, despite of rationally anticipate, it is never capable to control the consequences and the historic results. So there is a perspective hermeneutic opacity of the science that prevents from seeing ahead. When there is an intention to describe the plotting of the desired, an activity of remote and unreachable possibility, there is a mistake. Every architect makes a mistake when dimensioning the plant and the real building. Then we have the limitation of which the social sciences are vulnerable, after the diseased philosophy of history. When studying the totalitarian reason, Albrecht Wellmer, citing Frederic Jameson, affirms that: “Frederic Jameson ve en esa renuncia postmoderna a la violencia de una razón totalizadora la oportunidad de un nuevo concepto de totalidad por así decir dialógico, postmoderno”.⁸

⁷Zygmunt Bauman, *Modernidade e holocausto*, 1998, 48.

⁸Albrecht Wellmer, *Sobre la dialéctica de modernidad y postmodernidad: la crítica de la razón después de Adorno*,

Therefore, the current exercise of critical reflection about the modernity does not involve the resuscitation of these ‘dead-forms’, but the construction of new forms historically situated and relevant of petition for emancipation and justice. Our exercise is to look forward, in present conditions, considering the trail of men and women that made mistakes in the past, and, hence, thinking about the balance of history without idealization content. That means to answer to a necessary and significant post-modern impulse, reconsidering the guiding and misguiding of the reason.⁹

IV. The terms of the democracy: liberty, equality and recognition.

That is why, in the scenario of modernity crises, it is difficult to glimpse a social utopia that fills all the horizon of the social movements sense. The concussions suffered in the enlightenment project were sufficient to imitate its capability to say universal truths. However, this should not mean a complete abandonment of the democratic universalism, political balance factor that remains, and much less the autonomy of the subject from the emancipator force in which the theory has to perform in the vanguard of the understanding horizons of social life.¹⁰ In this scenario, the fragmentation of the utopias is a finding of clear sense, which does not imply abandonment, but review, reconsideration and pluralization instead: “Este final de la utopia no representaría ningún bloqueo de las energías utópicas; más bien su reconfiguración, su transformación y pluralización; pues ninguna vida humana, ninguna pasión humana, ningún amor humano serían pensables sin un horizonte utópico”.¹¹

Therefore, in the beginning of the 21st century, and in the middle of a serious and persistent economical and financial global crisis, there are other challenges, and any political perspective to the modern societies must imply in the acceptance of modernity and its basic arcane of operation. In its internal dynamics, dialectics and historic, modernity is a project that cannot be finished. “El proyecto de la modernidad es, políticamente hablando, el proyecto de tal reconciliación entre libertad negativa y libertad comunal. Contra Marx y Hegel hay que decir que este proyecto es un

2. ed., 2004, 52.

⁹“Es en el intento de hacer eso donde yo vería un genuino impulso postmoderno hacia la autosuperación de la razón” (See Wellmer (Note 8), 106).

¹⁰“Pero eso no significa que tengamos que despedirnos ni del universalismo democrático y su sujeto autónomo, ni del proyecto de Marx de una sociedad autónoma, ni de la razón” (See Wellmer (Note 8), 106).

¹¹Albrecht Wellmer, *Finales de partida: la modernidad irreconciliable*, 1996, 76.

proyecto sin fin, un proyecto sin soluciones últimas, un proyecto en el que energías utópicas siempre nuevas habrán de transformarse en nuevas soluciones concretas”.¹²

In this situation, the liberties are irrepressible, for they are already consolidated, then there is the finding of Albrecht Wellmer: “La razón de esa crítica radica en que no es pensable una libertad comunal en el mundo moderno que no descansa en la institucionalización de una igual libertad negativa para todos”.¹³ However, the matter of liberty still can have problems as can be seen, thinking with Hegel, through Wellmer. In his book *Endspiele: Die universöhnliche Moderne* (1993), in the chapter *Negative liberty and communicative liberty*, Wellmer affirms that: “Las teorías individualistas de la libertad se centran en torno al concepto de derechos fundamentales; la libertad queda ubicada en los derechos fundamentales de los individuos. Las teorías comunales de la libertad ponen, en cambio, la libertad en una forma intersubjetiva de vida”.¹⁴ Both theoretical extremes of the discussion about the notion of liberty lead to polarities and opposite social models: the radical individualism (Nozick) and the radical communism (Lenin).¹⁵ There must be a time between them that allows equilibrium between the boiling state factors in the modern life. It is based in Hegel that Wellmer will find the possibility to politically speak of the modern social organization, without representing a radical break with its principles. Hence, he affirms that: “La respuesta de Hegel a la cuestión de cómo es posible la libertad en el mundo moderno representaría, por tanto, un intento de superar la alternativa política entre individualismo y comunismo”.¹⁶

Therefore, the discussion forged by Wellmer, in his recapture of Hegel, indicates the way of modern Hegelian from Honneth thought, which conforms in responding this question, giving the term liberty a synthesis-meaning between these polarities. Liberty is not compatible with equality, provided that liberty means reciprocity and recognition. This analysis appears in *Justice as institutionalized freedom: a Hegelian perspective*, by Honneth: “By mutual recognition is meant at first, viewed like this, only the reciprocal experience of envisioning oneself confirmed

¹²See Wellmer (Note 11), 75.

¹³See Wellmer (Note 11), 64.

¹⁴See Wellmer (Note 11), 42.

¹⁵“Las comprensiones individualista y comunista de la libertad de ningún modo aparecen siempre en la filosofía política moderna como oposiciones polares. Frecuentemente se comportan más bien en términos de complementariedad, como ocurre en las teorías de Hegel, Mill y Tocqueville. El individualismo radical y el comunitarismo radical son más bien casos límite; quizá cabría entender a Robert Nozick como un individualista radical y a Lenin como un comunista radical” (See Wellmer (Note 11), 42).

¹⁶See Wellmer (Note 11), 46.

in the wishes and goals of the person opposite to the extent that his or her existence represents a condition for the realization of one's own wishes and goals".¹⁷

In the critical balance about the double legacy of modernity, Honneth does not take a position in the sense of polarization between liberty and equality, as extreme options, but in the sense to affirm perspectives of construction among these semantic fields, while minimal terms of modern life. Hence, he affirms that: "No modern theory of justice can refrain from grounding its legitimacy in the freedom of the individual or the self-actualization of social individuals".¹⁸ Then the role performed by the knowledge reciprocity in the political life in common, in the political life that assumes the tensions and differences, and make them possible in the same living space: "In this way, Hegel can conclude that individuals only really experience and realize freedom if they participate in social institutions that are formed by mutual recognition relationships".¹⁹ Fair is the society in which, using its individual liberties, acting, the singulars perform equally objectives of a common justice. The individual doses, of collectivity, of State and of market, all of them must be weighed in this equation. Then the processivity of the democratic game must be fitted in a formula adequate to the equilibrium of these tensions: "What we call just in modern societies must no longer be simply measured in terms of the power of all members of society over negative or reflective freedoms, but instead must satisfy those measures processually, securing the possibilities of these subjects being able to participate in institutions of recognition".²⁰ Hence, the current attempts of political life can turn around an even bigger predisposition in social life, when endeavour to: solidarity, education, citizenship, democracy, equality, liberty.²¹

Address: Eduardo C. B. Bittar, São Paulo/ Brazil – edubittar@uol.com.br

¹⁷Axel Honneth, *Justice as institutionalized freedom*. A Hegelian perspective, 2010, 179.

¹⁸See Honneth (Note 17), 172.

¹⁹See Honneth (Note 17), 185.

²⁰See Honneth (Note 17), 196.

²¹See Wellmer (Note 11), 48.