FEATURE ARTICLE

Once again: On the relationship between morality and ethical life

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Abstract

Ever since Hegel highlighted the difference between morality and ethical life or '*Sittlichkeit*', philosophical discourse concerning morality and law in the traditions that developed subsequently, up to and including the Frankfurt School, has oscillated between those poles. This paper opens with a short exposition of autonomy as one of the few large-scale innovations in the history of philosophy and proceeds to discuss Hegel's concept of ethical life and the objections that can be raised against it from a Kantian point of view. Political theory, however, has to move beyond pure normativism and consider actual social relations of power, as Marx disclosed. Tracing this winding trajectory from Kant to Marx provides some perspective that may be illuminating concerning present-day challenges.

The far from original topic of my lecture this evening brings to mind an episode during a memorable Hegel conference held in Stuttgart, to which Dieter Henrich had invited—as a highlight, so to speak—the avant-garde of American analytic philosophy. Besides Richard Rorty and Ian Hacking, Quine, Davidson and Putnam gave lectures. After my talk, Rorty came up to me and remarked with a friendly shake of the head: 'You Germans keep floating between Kant and Hegel'. I tried my best to explain that some of us were even floating between Kant, Hegel *and Marx*, because we believed that these historically transmitted arguments could still provide answers to systematic questions. As it happens, the title of the conference was: 'Kant *or* Hegel?' And that question has lost none of its polarizing power since then, even for those who take their orientation from Adorno and the first generation of the Frankfurt School.

Taken literally, the German terms for 'morality' and 'ethical life' are virtually identical in meaning. Whereas '_Moralität_' ('morality') evokes the ancient Roman _mores_, '_Sittlichkeit_' ('ethical life') is the translation of the Greek _ethos_, which, as the form of life of the population of a polis, is distinguished from _nomos_, positive law. Kant was the first to use the term 'morality' in its strict sense in contrast to 'good morals', because since then it expresses the inseparable reverse side of the concept of autonomy. Kant's revolutionary new conception of binding one's free choice to laws one gives oneself under the guidance of reason gives rise to the notion of moral commands, which claim unconditional respect. Hegel wanted to retain the concept of freedom as a matter of giving oneself rational laws, but he considered an abstract 'ought' which is powerless to shape behaviour in the face of tried and trusted habits to be unrealistic. The disagreement ultimately turns on whether, in the sphere of state and society which Hegel has in mind, one can do justice to the realism of ethical life without refusing to give moral objections the final say. I will begin with the not really so difficult concept of autonomy, one of the three or four truly major innovations in the history of philosophy (1); then I will go on to recall Hegel's concept of ethical life and the Kantian objection to it (2). This discussion leads to an interim conclusion, which I will summarize briefly (3). However, political theory remains in thrall to a short-winded form of normativism as long as it fails to take into account the politically effective relations of _social_ power disclosed by Marx (4). Finally, this winding discursive trajectory from Kant to Marx reveals the perspectives from which we may be able to better understand a challenge we are currently facing (5).

1

Kant, as we all know, contrasts the moral law as expressed by the categorical imperative with the principle of self-love: 'So act that the maxim of your will could always hold at the same time as a principle in a giving of universal law' (Kant, 1997, p. 28; Ak. 5:30). Thus, the rational character of moral norms of action is supposed to consist in the fact that they deserve _universal validity_ in the interest of all affected. Interestingly, Kant does not offer an elaborate _justification_ of this principle, because it follows virtually of its own accord from the grammar of the language of transcendental philosophy. The _Critique of Practical Reason_ builds on Kant's prior achievement in the _Critique of Pure Reason_, where he conceived of theoretical reason in performative terms, namely in terms of the performing of operations by a subjectivity that gives itself laws. In the transition from the theoretical to the practical use of reason, therefore, universal practical laws can easily replace the synthetic general rules according to which the knowing subject generates unity in the manifold of sensations. In making this step, however, Kant invests the notion of the 'universality' of a 'law' with connotations that Rousseau had introduced in connection with _political_ legislation. Rousseau did not understand 'universality of law' in the _semantic sense_ that a law is formulated in general terms, but in the _pragmatic_ sense that all cases to which a law could potentially be applied are treated equally as regards their _content_. From the moral point of view, we are supposed to examine whether a norm of action can be _represented_ as the procedurally correct result of a legislative process tacitly conceived from the outset in republican terms. This procedure requires an operation of justified generalization with the inclusive participation of all those who are potentially affected, so that only those maxims can become laws that everyone can _will_.

But such a universal law is equally good for all only if everyone does what they _ought_ to do. While the _universality_ of moral commands concerns their _rational aspect_, their _binding validity_ concerns the _aspect of the freedom of will_. The point is that both aspects are now intertwined in the concept of autonomy. Kant assumes that we are already intuitively aware of the fact of the universal moral law—i.e., of the _procedure_ just explained—but that it is only in the light of the strict ought that we recognize the unavoidability of the alternative of _choosing_ between maxims of self-love and of practical reason. We are stuck in the skin of a _natural being_, however rational we may be. In the light of this perfectly natural egoism, we understand that we act of our own free will when we _bind our free choice to laws_ that we have _given ourselves_ based on practical insight. Here we must distinguish the _cognitive_ level of rational insight from the _volitional_ level of the decision to follow that insight under all circumstances. Both are levels of freedom, for practical reason cannot simply force the good reasons on a rational subject. Reasons do indeed _constrain_ rational

beings, but they lead these subjects, who cannot avoid the necessity of saying 'yes' or 'no', at the same time to *take a stance*. Therefore, the aspect of reason *taken on its own* betrays a weak moment of freedom (which carries weight when assessing whether an action can be imputed under criminal law, for example). Beyond that, however, our free choice must let itself be *bound* by these reasons, which it *recognizes as correct*. Autonomy in this two-level sense has the meaning of *self-binding based on insight*—the binding of our freedom of choice to norms of action we consider to be right on practical rational grounds.

Kant was a contemporary of the French Revolution and was already able to interpret Rousseau in the light of this historic event; for him, the very act of founding the constitution was one of realizing moral contents. But under the presuppositions of his transcendental philosophy, the groundbreaking idea of rational freedom was reserved for an intelligible ego, so that the legality of that new *legal* order necessarily remained merely a pale reflection of morality—a mere silhouette in the world of appearances of the intelligible kingdom of ends. This changed with Hegel, who, with his concept of ethical life, lent the notion of the 'ethical community' already introduced by Kant sharp and realistic contours.

2

Hegel was more than a generation younger than Kant. He witnessed both the emergence of the national consciousness of the European peoples from the spirit of Romanticism and how their living conditions were rendered mobile by the economic relations of early industrialism. At the same time, he observed the rise of the historical human sciences and the beginnings of political economy. Among the major philosophers, he was the first to take the new 'historical' thinking seriously. He discovered in society, culture and history the intrinsic logic of the symbolic shapes assumed by objective mind or spirit (*objektiver Geist*). He investigated this sphere of ethical life in a philosophy of law or 'right' (*Rechtsphilosophie*) that includes the theory of society and the theory of the state. On the one hand, he thereby relocated the Kantian world of the intelligible from a realm beyond space and time into historical time and social space; on the other hand, in a speculative countermove to this 'detranscendentalization', he also allowed *symbolically embodied* reason to be reabsorbed into the dynamics of the self-movement of an 'absolute' spirit. At any rate, the individual subjects of moral judgement and action were now understood in terms of their biographical and historical processes of cultural and intellectual formation (*Bildungsprozesse*). This is, as it were, the increase in realism achieved by detranscendentalization. In return, however, these individual subjects lose their autonomy, as Kant conceived it, vis-à-vis the dynamics of a *superior* objective mind or spirit. The authority of having the final say passes from the moral standards of justice, which can announce themselves in the protest of the injured individual, to a supra-individual mind or spirit that articulates itself in the ethical life of social forms of life.

However, when Hegel judges this relationship between morality and ethical life, he both adopts a different *methodological attitude* from Kant and asks a different *question*. Whereas Kant takes the perspective of a participant who asks which norm is valid in each case and applies to a given conflict, Hegel steps back into the role of a theoretical observer, because he wants to judge the ethical constitution of an existing political community from a normative point of view. Specifically, he adopts the stance of a rationally reconstructing observer who wants to know whether the participants, when they engage in their social practices, can regard their own lives and their common life as more or less 'good'. Here the philosopher is the ultimate judge of the constellations in which citizens should be *allowed* to feel comfortable. From this changed perspective, Hegel asks a completely different question from Kant. He is not concerned with issues of justice, but with the *conditions for the successful social integration of a political community*. He is not interested in justifying what is morally right but in how morality is embedded in a network of reliable relationships of reciprocal recognition, which either assumes the shape of an *informally established* way of life that inspires trust—along the lines of an intact family life—or the *formal-legal* guise of a self-sufficient political community, that is, a state.

Hegel did indeed have a more acute awareness of these phenomena of successful social coexistence than Kant. He observed the political community with a historically informed sensitivity and a clinical eye for the shifting

constellations between the *uniqueness* of the individual persons, the *particular* characteristics of their historical forms of life and the *abstract universality* of the moral and legal regulations of social intercourse. Only in virtue of a balanced relationship between the individual, the particular and the universal can a modern society develop into an 'ethical' totality. The philosophical discourse of modernity begins with Hegel. It revolves around the question of how, within the framework of a capitalist society that is becoming more complex at an accelerating pace, a precarious balance can be achieved between the solidarity of the familiar but increasingly porous worlds of origin (*Herkunftswelten*), on the one hand, and the functional imperatives of the economic dynamic, on the other. According to Hegel's analysis of 'bourgeois society', the economic dynamic coupled with increasing social inequality fosters both *alienation* and *individualization*. In his view, therefore, only the reconciling force of the organizational power of the state can maintain the social bond among individuals who are increasingly isolated and encapsulated in their egoism—but not in accordance with the abstract standards of justice of its individual but cooperating citizens.

Of course, Kant could object that the demanding preconditions of successful social integration do not explain why the moral voice of the conscientious individual should fall silent as soon as the private legal person assumes the role of a citizen who makes her voice heard democratically together with that of her fellow citizens. Granted, Hegel is perfectly right to assert from the observer perspective that, as an empirical matter, the *average* moral and lawful behaviour of citizens can achieve stability only in the context of shared forms of life. Individuals must have a basic level of trust in one another. But it by no means follows that ethical life has *normative priority* over *political* justice for the participants themselves. This brings us to the key point. Whereas until now Kant and Hegel have instructed each other, as it were, and thus could learn from one another, Kant cannot accept that claims to justice should be adapted to requirements of social cohesion—unless, that is, such an adaptation is morally justified and is not merely a response to functional requirements. But from Kant's perspective, making this assessment must not be the preserve of philosophers who supposedly know better, but must remain a matter for the citizens themselves.

When the citizens of a modern society are outraged by an injustice, why should they subordinate or adapt without examination those universalistic standards of morality that emerged with the religious and metaphysical worldviews of the Axial Age to some particular notion of the good that they supposedly *find* already realized in their own form of life? Why should the citizens who have formed a political community *not be allowed* to criticize essential structures of their 'ethical'—i.e., economic, social and political—life as unjust from a moral point of view *and to change them as democratic co-legislators*? But Hegel, in his outline of a constitutional monarchy, denies them precisely this right, and not because this is required by mere accommodation to the prevailing conditions, but for dubious systematic reasons. This reflects a mistrust of the *self-empowerment of the subject*, which, since High Scholasticism, found expression in the notion of subjective rights and, in the course of the development of modern rational law up to Rousseau and Kant, was ultimately articulated in human and civil rights declarations. Hegel's choice of Aristotle over Kant betrays an attempt to achieve a reconciliation with the ancient notion of justice according to which a metaphysically anchored legal order, which is removed from the judgement of the citizens because it exists in and for itself, assigns 'to each his own'.

3

A provisional appraisal of the state of the discussion between Kant and Hegel from our present-day perspective would have to highlight two points: On the one hand, the historical thinking that Hegel took seriously has provided the impulse for a detranscendentalization of the Kantian concept of autonomy, which strips rational morality and rational law of their abstract character (a). On the other hand, the question of why Hegel subordinates the stubborn logic of morality—on which his own diagnosis of the crisis of bourgeois society is based, after all—to the existing ethical life in the state points us to the realistic core of his excessively idealistic conception of 'reason in history' (b).

3.1

Hegel's discovery of the shapes that objective mind assumes ushered in the detranscendentalization of Kant's intelligible realm. If we want to uphold the substance of Kant's epochal insight, therefore, the use of practical reason must be transferred from the inner forum of the solitary intelligible ego to the public processes through which the plurality of communicatively socialized subjects give themselves laws. Such a detranscendentalization of *rational morality* explains how the operation of generalization called for by the moral law and assigned to the intelligent ego can be turned into the task for a discourse among the affected subjects themselves who exist in space and time. Those involved satisfy the demanding pragmatic presuppositions of such a practice of argumentative exchange when they are willing to adopt each other's perspectives and to follow the unforced force of the better arguments. But in this *historically situated* use of practical reason, the participants must remain aware of the requirement to include *all* those who may be affected as a *counterfactual* element. For this element alone reminds them both of the ineradicable fallibility of their judgement and of the anticipatory meaning of moral universalism: only a form of freedom about which we know that *nobody is truly free until everyone is* satisfies the concept of autonomy.

A detranscendentalization of Kantian rational *law* corresponding to the detranscendentalization of rational *morality* just mentioned no longer assumes a *philosophically drafted* constitution. Rather, since the constitutional revolutions of the late 18th century, philosophy can limit itself to rationally reconstructing the historical events and constitution-founding practices. It observes that the objective of the constitutional practice of the members of a future political community or their representatives is to use the means of modern law to 'ground' a self-determining association of free and equal legal subjects. This shows that the constitutions of democratic states subject to the rule of law have the Kantian meaning of legally ensuring that all citizens enjoy equal private and public autonomy.

3.2

Hegel failed to recognize that the democratic constitutional state is the legal embodiment of Kant's concept of autonomy and that, already during his lifetime, the notion of autonomy had left the intelligible realm and entered history. On the other hand, he had good reasons for using the concept of ethical life to highlight a normatively relevant dimension that the reconstruction of the constitution-founding practice in rational law fails to take into account, but always implicitly presupposes. The resolution to engage in an act of founding a constitution does not occur in the abstract, after all, but in the population of an *existing* community that has decided to take political rule into its own hands. The participants are not a collection of individuals who meet by chance! Therefore, every constitution will also reflect certain historical conditions and challenges. Nevertheless, the fact that the participants share a prior informal socialization will be mentioned explicitly only in the declarative statements of the preamble, but not in the principles and fundamentals of the constitution itself. For the latter concern the establishment of institutions which are supposed to guarantee that the exercise of political rule is just in a fully general sense. This intention would even be frustrated from the outset if ethnic, cultural or religious aspects of an existing form of life were elevated to the rank of constitutional norms.

Certainly, the decision to adopt the constitutional practice and to say 'We' in the constitution-founding act requires a certain level of prior mutual trust. All those affected and all future citizens must be able to feel that they *belong*. But however well founded this criticism may be, it does not justify rejecting the explosive moral force of the declaration of human and civil rights, which Hegel himself celebrated at one time. For without this philosophical justification of standards of political justice that emerged from natural and rational law, it would not have been possible to provide a *secular equivalent* for the religious legitimization of the democratic exercise of political rule. Hegel was critical of the 'investing' of the democratic constitutional state with 'moral' content, but this is unavoidable as long as we regard the raison d'être of this state as being to guarantee the autonomy of its citizens. By assuming the form of positive law, moral principles acquired *social* validity not only in criminal law (as Hegel's philosophy of right

assumes) but above all in the normative content of civil and human rights. With fundamental rights that permeate the legal system as a whole (something which has been the case in Germany only since the end of the Second World War), a completely new tension between norm and reality found its way *into social reality itself*. This normative gap triggers a disruptive dynamic, because criticism of existing conditions as deficient with regard to social and political justice can now appeal to the untapped normative content of unsaturated basic rights and claims to justice. And this brings moral-practical *learning processes* into play. Reason does not litigate, within the tumult of historical contingencies, in the sovereign manner of a dialectically ruling absolute spirit. It operates instead, in Marx's words, like a mole—namely, through the socialized subjects' own fallible cognitive, social-cognitive and political-moral learning processes. The results of such fallible learning processes are reflected not only in organizational, technical and economic 'productive forces' but also in the laborious progress in the institutionalization of equal freedoms, which is constantly threatened by regression.

4

So much for the provisional appraisal that we can make from our contemporary perspective of the relevant discussion between Kant and Hegel. Marx, of course, already lent this discussion a different direction by radicalizing Hegel's turn to a perspective informed by social theory. In criticizing Hegel, he discovered the traces of a form of social power that encapsulates itself in the heart of ethical life—and in this way can mutate into a form of political violence. Marx stood at the same generational remove from Hegel as Hegel did from Kant. As a witness to the July Revolution and, above all, to the failed revolution of 1848, Marx became a critical participant observer of the social class struggles and the early socialist movements. It may come as a surprise that I call on Marx of all people for assistance when criticizing Hegel's unfortunate attempt to reconcile modern conceptions of right with their ancient metaphysical counterparts. For Marx followed his teacher in privileging Aristotle over Kant and failed to throw light, to put it mildly, on the confusion concerning the normative foundations of his own critique of capitalism. But, after the liquidation of the 'absolute spirit', it was Marx who most consistently took up Hegel's question and at the same time became Hegel's sharpest critic. His fellow Young Hegelians' critique of religion had made him fundamentally mistrustful of the socially integrative power of dominant ideas, so that he now subjected the whole sphere of ethical life to ideological suspicion. Marx and Engels, the authors of the 'German Ideology', translated the shapes of the objective spirit, which Hegel had understood as a 'second nature', from the historicist terms of the doctrine of the spirit of the people (*Volksgeist*) into the language of social theory. Therefore, they no longer understand the relationship of the communicatively socialized and productive subjects to their social form of life in hierarchical terms as a relationship between subjective and objective mind or spirit. In their account, subjects no longer experience the social and cultural environment in which they are embedded as an uplifting 'second nature', but as the oppressive and constraining violence of a 'quasi-natural' social history. This shift in perspective explains why Marx believes that, if not morality, then at least *moral* indignation over the existing injustice of a class society can become the driving force of an emancipatory struggle against the *false appearance* of the conditions of ethical life.

Hegel had called the sphere of ethical life a second *nature* because the semantic and normative logic of the historically contingent orders of culture and society confronts the knowing subject with the force of an empirical fact. But he called it a different or *second* nature because, unlike first nature, the opaque side of these words, texts and artefacts, these practices and institutions, systems and traditions, that constitute cultural and social reality does not *retain* the non-transparent objective character of physical objects. The symbolic objects lose their opacity to the extent that the interpreter hermeneutically *penetrates* their internal meaning under the guidance of reasons. From Hegel's perspective, the objective mind confronts the subjective mind with the rational force of reasons. Here it also becomes apparent why he understood the relation between subjective and objective mind as one of subordination and rejected the idea that communicatively socialized subjects can stand in a symmetrical relationship to each other and to their intersubjectively shared life context. At the same time, we can see why he assumed that the ethical life

context of the political community is immune to the moral objections of its citizens: for Hegel, it was inconceivable that objective mind, which itself consists of crystallized reasons, could *deceive* the subjective mind *with reasons*. Marx first conceived of the idea of ideology that can deceive the citizens with reasons because the *social* power of those who control the means of production has insinuated itself in an opaque way into the intrinsically transparent formative powers (*Bildungsmächte*) of the sociocultural form of life. While political power is public, a social power disguised in society and culture exercises non-public domination by preventing good reasons from circulating freely, and thereby *prevents* politically acting subjects in inconspicuous ways *from exercising their rational freedom*. The reasons that have become agglutinated and to a certain extent encrusted through social power bring the free flow of public communication to a standstill. Thus Marx and Engels discover in Hegel's 'second nature' a 'quasi-natural' dimension that lends existing conditions the appearance of stability even in the face of manifest injustice. The thrust of this idea is that the ideologically congealed reasons can be challenged by critical reasons, because ideologies erect barriers within the space of reasons itself. By revealing the existence of 'quasi-natural' power relations through the critique of ideology, Marx wants to unmask allegedly 'ethical' forms of life that can only achieve stability because they maintain the effective appearance of halfway just conditions against the social facts. Insofar as a class society acquires the appearance of naturalness, political rule can present itself as an ideologically veiled trustee of the shared interests of all citizens.

If we lay out this materialistic reworking of Hegel in the philosophical concepts of the foregoing discussion and do not confuse the appearance of naturalness of the social process with a natural law, then the relationship between morality and ethical life becomes inverted: the revolt and struggle against the social injustice of repression and exploitation must first create the economic basis for overcoming social divisions and for achieving genuine political cohesion. Marx was interested in these political struggles as a political intellectual and journalist, but less so as a theorist, and not at all as a political philosopher. As a researcher at the British Library, he developed exclusively the economic aspects of Hegel's legal and political philosophy. And ultimately he shared Hegel's fatalistic view that only the same economic crises that would condemn bourgeois society to disintegration would also release the forces leading to a new form of social integration.

It is a well-known fact that, after his early critique of Hegel's theory of the state, Marx never returned to issues in moral and legal philosophy. Nor did he conceive of the emergence of the welfare state, which occurred after two world wars, as a possibility. The young Marx already took the wrong course with his critique of Hegelian public law. Like Hegel, he misjudged the constitutional achievements of the bourgeois democracies with human and civil rights at their core. He wanted to dissolve the superstructure of the state into a society that is *emancipated from law as such*. He failed to recognize that, even in a society free from exploitation and repression, the private citizens would still need *social* autonomy secured by private law in order, as citizens of the political community, to exercise their *political* freedoms guaranteed by public law. Of course, this is not an argument against Marx's critique of political economy, in which he pursued a correct question that has lost none of its relevance. However, the *normatively objectionable* naturalness of the political class dominance of his time may have led him to underestimate the resistance of the kind of de facto naturalness that the *systemic complexity* of a globally networked capitalist society opposes to the attempts to bring it under democratic control.

5

Tracing the trajectory of the discussion from Kant to Marx draws our attention to the still dominant interplay of those three elements mentioned. To this day, a government's *policy of crisis prevention*, which ensures adequate conditions for the valorization of capital, must fulfil two further conditions: in order to claim legitimacy, it must be in conformity with a *morally* substantive constitution; and it must satisfy the functional requirement of social cohesion, alias '*ethical life*'. The welfare states that emerged during the second half of the 20th century, on the one hand, must satisfy the interest of broad strata of society in the legal and material preconditions of their private and public

autonomy from the perspective of political and *social justice*; on the other hand, they depend in turn on the *solidarity* of their citizens to ensure that majority decisions are accepted by the outvoted minorities and electoral decisions are not based exclusively on short-term self-interest. A sufficient proportion—moreover, a *representative* proportion—of citizens must be willing to play the role of democratic co-legislators in a way that is *also* oriented to the common good. And citizens can be expected to adopt this orientation to the common good, however modest its demands, only as long as there is a sufficient degree of social integration. Nowadays, however, another aspect comes into play that could not have been an issue for the classical authors: today, the necessary level of social cohesion also depends, albeit not exclusively, on inclusion in the sense of *social* justice, because political inclusion now also applies to the differences between *cultural* forms of life and *subcultural* milieus.

Certainly, the *social* inclusion of excluded or underprivileged classes and strata already meant, and continues to mean, that different *cultural* milieus must open themselves up to each other, so that the citizens who say 'we' can form a common will within the framework of a correspondingly expanded national culture. However, it was only the formation of nation states that created the preconditions for the regional independence movements—and, in general, for the struggles of religious, linguistic and cultural minorities who raise collective claims to *political recognition* of their distinctive cultural identities. The important point in our context is that these conflicts represent a *different* kind of test of the cohesion of a community and the solidarity of its citizens compared to socio-economic conflicts. Cultural conflicts also call for social and political equality, but that alone will not satisfy them. Ultimately, the only way to defuse the conflict potential of forms of life that want to preserve their integrity for one another is through the bond of a common *political culture*. Normally, cultural discrimination is also associated with social disadvantage. But bridging normatively protected cultural distances calls for the *creative expansion* of the historically evolved majority culture that previously shaped a country's political culture, since otherwise not all citizens would be able to recognize themselves equally in it. A decidedly ambivalent example is the formation of nation states in Europe. In this protracted process, which was initiated and promoted administratively by national movements, the regional and traditional mentalities and outlooks of the provinces and 'dominions' that were coalescing merged into a national consciousness, which was articulated, if not projected, by academic elites. In many cases, during the 20th century, militarily and economically mobilized populations whose civic awareness had been vitalized by notions of national history filled the still in certain ways mentally vacant housings of the princely territorial states, thereby transforming them into nation states for the first time. The artificial character of this change in consciousness launched by the state itself may explain in part the belligerent violence that nationalism unleashed towards the outside and simultaneously against domestic minorities.

But within *existing* democratic political communities, the progressive liberalization of the political culture in the context of the tensions of (for whatever reasons) increasing cultural pluralism is the result of political learning processes that have a moral core; for, in these processes, the individualistic–egalitarian universalism of the basic rights serves as a *pacemaker* for a functionally necessary expansion of *political inclusion* without the compulsion to *assimilate*. Where a shared cultural background is lacking, the equal treatment of citizens—that is, the 'morality' of legal inclusion—must be supplemented by the 'ethical life' of political–cultural inclusion, that is, by *the creation* of a correspondingly extended political–cultural self-understanding that can be shared by all. With this *turn to construction*, however, the notion of 'ethical life' itself changes. A political culture, which first has to develop informally around formally already guaranteed constitutional claims to political inclusion, no longer exists as a historically *evolved* milieu; rather—and this is the novelty—it has to *emerge* because it cannot be *produced* by legal and administrative means. A liberally extended political culture is a web of historically saturated political values founded on constitutional patriotism that can only *arise in passing*. At best, it can *emerge* from a civic practice in which all citizens are *already* engaged.

This brings me to the point of my rather condensed survey of a discussion extending from Kant via Hegel and Marx to present-day right-wing populism. Under the conditions outlined above, a liberal political culture, which ensures a sufficient level of civic solidarity, must draw on *past* experiences of citizens in democratic struggles over productive solutions to their shared problems. In such struggles, moral outrage over social and political injustices can serve as a pacemaker for the spread of a new kind of political ethical life, which *founds* solidarity between citizens

across social and cultural divides. In culturally pluralistic societies, this dynamic describes a relationship between morality and ethical life in which the critical voice of violated basic rights takes the lead.

These at first sight culturalistic reflections are far from being a liberal luxury of a globalization-friendly upper middle class, for they are closely bound up with the tangible social problems currently being generated by the crisis dynamics of capitalism. For it is from this perspective that we can first appreciate the scale of the problem that the peoples of Europe would now have to solve in order to recover, in the face of the imperatives of globally unleashed financial capitalism, what they have lost as a result of economic globalization—namely, the capacity for political action at the transnational level. If they wanted to salvage the achievements of their crumbling welfare state model and no longer accept increasing social inequality as the price to be paid for satisfying the abstract requirements of international competitiveness, then they would have to continue to deepen the cooperation institutionalized to some extent at the European level in a way that involves certain costs. In other words, they would first have to create a political housing, something which already existed in many cases of nation-building. However, the peoples could overcome the national, and especially the economic-national, egoism of their states only by breaking through the blinkered consciousness of their nation-state cultures. They would have to open up their particular national public spheres *to each other* and be prepared to engage in *reciprocal* perspective taking across national borders, for only by engaging in cross-border debates about how to solve shared problems could they also become aware of the historical roots that their political cultures already share.

These statements are formulated in the hypothetical subjunctive. For today, the solidarity-generating source of democratic practice is already drying up in our various countries. With few exceptions, the political elites are letting themselves be disarmed by an ideologically inflated social complexity and have lost the courage to pursue a *transformative* policy. Meanwhile, the national public spheres, which are parched of almost all really relevant issues, have turned into arenas of distraction and indifference, if not of reciprocally fuelled nationalist resentment. If we are not content with gloomy diagnoses, we can learn something important from a Kant enlightened by Marx: the mole of reason is blind only in the sense that it recognizes the resistance of an unsolved problem without knowing whether there will be a solution. At the same time, it continues to tunnel forward obdurately in its subterranean passages. Kant inculcated this mentality in us along with his insights—indeed, his philosophy consists in collecting good reasons for this mentality of encouraging hope even in the face of disaster. And is not that the crowning glory of his wonderfully illuminating philosophy?

Translated by Ciaran Cronin

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