Reasons and Practices of Reasoning

On the ‘Analytic/Continental’ Distinction in Political Philosophy

Drawing conceptual distinctions is integral to the activity of philosophers, political or otherwise. The point of drawing distinctions is to make perspicuous the terrain of a given enquiry. In the context of our current concern, namely, an enquiry into the so-called ‘analytic-continental distinction’ in political philosophy, the issue is thus one of whether there is a question, and more particularly a question worth asking, for which drawing this distinction helps make perspicuous the terrain of political theory. To contextualize this enquiry, consider two points variously advanced by Babich (2003 & 2013), Critchley (2001) and Glendinning (1999 & 2006). First, the use of the distinction between ‘analytic’ and ‘continental’ philosophy is a product of the post-war period and the significance of the distinction is one that gains traction within the context of the expansion of professionalized philosophy within a growing University sector as part of the institutional politics of ‘philosophy’ as a discipline. Second, the ‘analytic-continental’ distinction is, in its origins, an ideological construction of analytical philosophy that was, and in some contexts remains, mobilized as a rhetorical weapon to demarcate ‘philosophy’ (aka ‘analytic philosophy’) from ‘sophistry’ or, in more Anglo-Saxon vein, ‘bullshit’ (aka ‘continental philosophy’). These points need not undermine the claim that there is a distinction to be drawn (at least for some purposes) and we can, I think, retrospectively construct traditions for these modes of thought in terms of the different trajectories of post-Kantian philosophy. The recently established and burgeoning sub-field of the history of analytic philosophy is an example of such an enterprise that typically takes the ‘analytical’ turn as beginning with Frege and Russell (for an overview, see Beaney 2013) and identifies the revolt against British Idealism launched by Russell and Moore as a key event in the emergence of a self-consciously ‘analytic’ form of philosophy (Griffin 2013), although importantly its contrast is not yet with ‘continental’ philosophy. In the context of political philosophy, the emergence of ‘analytic’ political philosophy as a substantive endeavor (as opposed to an enterprise rendered obsolete by the dual thrusts of logical positivism and political sociology) comes with the work of thinkers like John Rawls, Robert Nozick and Brian Barry, with very honorable mentions to H.L.A. Hart and other legal theorists (Wolf 2013). In the cases of both philosophy in general and political philosophy in particular, the explicit construction of ‘continental’ philosophy as the other of ‘analytic’ philosophy notably postdates the emergence of a self-consciously ‘analytic’ approach. In the case of philosophy in general, Simon Glendinning (1999 & 2006) has persuasively situated this construction in relation to somewhat polemical talks in Paris and Berlin by Ryle and Hare in 1958 and 1957 respectively. In the case of political philosophy, Jonathan Wolf (2013) has traced the contemporary emergence of this construction to the work of ‘analytical Marxists’ (such as Gerry Cohen).

Supporting the view, most prominently advanced by Critichley (2001), Glendinning (1999, 2006) and Babich (2003 & 2012), that the distinction has primarily operated as an ideological weapon on the part of analytical philosophy is the notable point that ‘continental philosophy’ as a rhetorical construction is *strategically amorphous*, a quality that allows it to be perpetually redefined in terms of the development of ‘analytic philosophy’. Whereas Hegel, Nietzsche and Heidegger might once have stood as exemplars of ‘continental’ sophistry, of obscurantist poetic bullshit, the development of serious ‘analytic’ engagement with these thinkers has rehabilitated their thought, while still leaving the object of which they were once exemplary outside the realm of philosophical propriety (although, like many other terms that were initially served as words of abuse, for example, ‘democracy’, ‘liberal’, ‘queer’, the notion of ‘continental philosophy’ has become a banner around which a counter-movement of re-valuation has formed.) However, it remains the case that the question of whether the distinction can serve purposes for which it is philosophically perspicuous (rather than ideologically expedient) is an open one. Such at any rate will be the claim of this essay. In outline, I argue that, given some care of delineation, the distinction can do some philosophical work. The basic claim advanced in this essay is that whereas ‘analytic’ political philosophy is focused on generating reasons that are oriented to the issue of articulating norms of justice, legitimacy, etc. that guide political judgments about the institutions and/or forms of conduct; ‘continental’ political philosophy is oriented to critically assessing the practices of reasoning that characterize our social and political institutions and forms of conduct as well as our first-order normative reflection on them. These enterprises may overlap, however, at the level of orientation, I will seek to show that they remain distinct kinds of practice.[[1]](#footnote-1)

How are we to approach these practices in order adequately to characterize them? One option would be to borrow from the humanities and consider them as ‘genres’ of political philosophy, however, in working through this argument I have come to adopt a slightly different, if akin, strategy that focuses on distinguishing these philosophical orientations in terms of what I will call ‘*structural problematics’*. By this term, I mean to refer to a *methodological topos* that constitutes the common space of a community of argument, a site of reflection, dialogue and dispute that links a range of disparate theories as participants in a common practice, whose commonality is produced and reproduced through their shared reflection on the character of the activity in which they take themselves to be engaged. This is a structural *problematic* because the dialogues and disputes concerning the proper form of the practice, the most valuable exemplars of the practice, the fundamental limitations of the practice are media through which participants avow and reproduce themselves as a community of argument who are engaged in the same practice. It is a *structural* problematic because to engage in the practice is *necessarily* to take a stand in relation to these dialogues and disputes.

In the case of analytic political philosophy, I propose that the relevant structural problematic is what I will call ‘*the Guidance Problem’*, that is, the issue of the way in which political philosophy stands to, and serves (or fails to serve) as a guide to, political practice. As I will attempt to show, the methodological topos that establishes analytic political philosophy as a community of argument is composed of two central debates. The first is focused around the question of whether, and if so how, the practice of normative philosophical reflection on political questions is constrained by considerations of political practice. This may be conceived as a debate about *levels* of political philosophy. The second addresses the question of the form and relationship of ideal and nonideal theory in political philosophy. This may be represented as a debate about *modes* of political philosophy.

In the case of continental political philosophy, I suggest that the relevant structural problematic is what I refer to as ‘*the Critique Problem*’, that is, the issue of the way in which social and political philosophy stands as a form of critical reflection on our practices of social and political reasoning. The methodological locus that constitutes continental social and political philosophy as a community of argument is, I propose, also twofold. The first is focused around the question of how social and political philosophy as a historically situated practice of reasoning is to justify or vindicate its (claimed) standing as a critical reflection on our social and political practices of reasoning. This can be conceived as a debate about the *relationship* between history and philosophy. The second concerns the question of the proper ambitions and limits of the practice of critique. The can be thought of as a debate about *modes* of critical reflection.

To make this argument, the first and second sections of this essay focus, respectively, on analytic and continental political philosophy. In the third, and final, section of the essay, I turn, in the light of the preceding discussion, to consider one way of bridging the divide between analytic and continental political philosophy through the practice of, in Ypi’s useful phrase, ‘activist political theory (Ypi, 2011; Owen, 2013).

**Analytic Political Philosophy and the Guidance Problem**

One way to think about analytic political philosophy is to think about it as a distinctive approach to orienting political judgment and guiding political practice that stresses the virtues of conceptual and normative clarity. It has brought this approach to bear on a wide range of substantive political issues, perhaps most centrally, questions of justice, legitimacy, equality and liberty. Apart from the numerous and often rich substantive debates that characterizes this research methodology programme, however, it is also the site of a set of ongoing methodological debates constructed around two main axes: (a) to what extent should the analysis of political ideals be governed by concerns deriving from the translation of theory into practice, that is, for example, issues of feasibility and (b) does ideal theory play a necessary or desirable role in the guidance of political judgment. The first of these concerns *levels* of theorizing, whereas the second concerns *modes* of theorizing. Together they compose *the Guidance Problem*. I will address each in turn but since both may be understood as emerging in the aftermath of Rawls’ construction of an ideal theory of justice, his distinction between ideal and nonideal theory, and his prioritization of ideal theory over nonideal theory, it will be helpful to begin by elucidating Rawls’ position.

The ideal/non-ideal theory distinction is introduced by Rawls as a distinction with a narrow scope and specific purpose, namely, to distinguish two parts of a theory of justice. Ideal theory adopts the idealization of strict compliance in order to work out the principles of justice that should structure a well-ordered society under favourable conditions - this is what Rawls (1999: 7) will later call a ‘realistic utopia’. Non-ideal theory focuses on how to move towards such a well-ordered society given the world we inhabit. The rationale for granting priority to ideal theory is

that it provides, I believe, the only basis for a systematic grasp of these more pressing problems [addressed by partial compliance theory]. At least, I shall assume that a deeper understanding can be grasped in no other way, and that the nature and aims of a perfectly just society is the fundamental part of a theory of justice. (1971: 8)

Later on in *A Theory of Justice*, Rawls puts it this way: ‘If ideal theory is worthy of study, it must be because, as I have conjectured, it is the fundamental part of the theory of justice and essential for the nonideal part as well.’ (1971: 391)

The point of operating with the idealization of strict compliance is twofold. First, to be able to compare theories of justice in terms of what effects would be exhibited in societies structured by their different ordering principles in a way that enables us to attribute the differences to these distinct ordering principles (Simmons. 2010: 8). This is important because an adequate theory of justice on Rawls’ view must satisfy feasibility constraints, most notably that of forming that basis of a society that is stable and is so for the right reasons. This is what being a *realistic* utopia requires. To this justification of the ideal/non-ideal distinction can be added a second purpose which explains why Rawls takes the specification of the ideal to be the first step in a theory of justice, namely, the claim that it provides a way of guiding the principles of non-ideal theory in a way that serves overall justice rather than simply a specific relation or form of justice (see Simmons 2010 & Thomas 2014).

The key point to notice here in terms of the Guidance Problem is that Rawls’ position serves as a site for generating both axes of debate: (a) the nature of ideal theory and what limits, if any, a concern with political practice places on ideal theory and (b) the role of idealizations and the claimed priority of ideal to nonideal theory in political philosophy. Let us focus on each in turn.

What is the proper focus of ideal theory in political philosophy? Should ideal theory be constrained by considerations of political practice? Rawls’ focus on stability for the right reasons offers an affirmative response to this question. We should note that there are two distinct issues raised by this question of propriety. The first is the logical question of what, if any, constraints necessarily apply to the formulation of political ideals: is it an integral part of, for example, a ideal theory of justice that it is feasible from here now, or feasible under the most favourable conditions, or feasible for human beings in some possible world, or are the fundamental principles of justice just logically independent of any such constraints? The second is an evaluative question: Should political theorists focus on developing theories under constraints, even if not logically required, in order to facilitate the relation of theory and practice? It is, after all, logically possible to take the view proposed by Gerry Cohen (2008) that ideal theory is not constrained by issues of feasibility or human nature, while also holding with Phillip Pettit and Robert Goodin (1993) that its primary concern should be addressing issues of implementation and institutional design. (It is perhaps an interesting sociological observation that this does not tend to be the case.)

In terms of the logical issue, we can distinguish within those who argue that the limits on what can intelligibly serve as a political ideal arise at the level of institutional design (Carens, 1985), stability (Rawls, 1971), publicity (Williams, 1998) or unreasonable demandingness on human beings (Barry, 1995) - or between those who hold any of these views and those who reject all such limits (Cohen, 2008). In an overview of all these positions, Mason (2004) distinguishes three different levels of theorizing:

The first level is the most abstract and involves the elucidation of the best principles to express the ideal limited only by the constraint that these principles should not place unreasonable demands on individuals living under the institutions they govern ... The second level involves identifying the best principles to express the ideal limited this time by feasibility constraints as well, that is, by what is possible given our current historical circumstances, and/or by what we know about human nature (for example, that people will find institutions that embody these principles intolerable even if they are not unreasonably demanding …), and/or by constraints on institutional design. The third level involves two stages: first, identifying how the ideal should be balanced against others so as to ensure that due weight is given to each, representing this in terms of indifference curves; secondly, identifying how the ideal should be balanced against others in the light of any feasibility constraints.

The claim of the first level is the most controversial; however, if we turn to the issue of evaluation, it is seems clear that the dominant trend in analytic political philosophy is to construct ideal theory at the second level, that is, at the level of what Rawls terms ‘ideal theory’ as ‘realistic utopia’ (1999:7). The unavoidable problem here is that, as Rawls acknowledges, ‘there are questions about how the limits of the practically possible are discerned and what the social conditions of our social world in fact are … Hence we have to rely on conjecture and speculation, arguing as best we can that the social world we envision is feasible and might actually exist, if not now then at some future time under happier circumstances.’ (1999: 12). The adoption of ‘realistic utopia’ as the dominant model in analytical political philosophy thus gives further impetus to the centrality of the Guidance Problem in relation to the question of the presuppositions of a given account. As David Miller remarks:

The problem is to know which of these facts [about human behavior and institutions] to treat as parameters that our theory of justice must recognize, and which to regard as contingencies that the theory may seek to alter. If the theory abstracts too far from prevailing circumstances, it is liable to become a merely speculative exercise, of no practical use in guiding either our public policy or the individual decisions we make as citizens. If the theory assumes too much by way of empirical constraints, on the other hand, it may become excessively conservative, in the sense of being too closely tied to contingent aspects of a particular society or group of societies, and therefore no longer able to function as a critical tool for social change. (2007: 18-19)

Debates within this first axis of the Guidance Problem, however, tend to presume the priority of ideal theory in respect to the issue of guidance and it is this presumption that gives these debates their bite and urgency. The second axis of the Guidance Problem addresses this presumption alongside a further concern with the mode (rather than level) of ideal theory and can be elucidated by considering a range of ways in which the Rawlsian position on ideal and nonideal theory has become a site of controversy.

The first issue I will illustrate draws attention to the fact that Rawls’ ideal theory appeals to further idealizations than simply strict compliance (which itself presupposes the idealization of ‘no envy’, for example). This is one of the reasons that the ideal/nonideal has expanded beyond Rawls’ initial compliance-focused distinction. Thus, for example, it also involves the idealizations of ‘mutual disinterest’, that the parties to the Original Position take no interest in one another’s interests (1971: 127), and of society as ‘a closed system isolated from other societies’ (1971: 8) which persons enter at birth and exit at death. Rawls’ introduces the former to ensure that his theory is committed to only weak assumptions about human sociality, while the latter is proposed as a focusing device designed to enable the project of attending solely to justice in a well-ordered society. However, this not only gives rise to a wider use of the ideal/nonideal distinction than Rawls’ strict versus partial compliance focus, it also raises the issue of abstraction and idealization. Thus, Onora O’Neill points out that abstraction ‘is simply a matter of detaching certain claims from others’ and ‘hinges nothing on the satisfaction or nonsatisfaction of predicates from which it abstracts’ (1989: 208), it ‘is a matter of bracketing, but not of *denying*, predicates that are true of the matter under discussion’ (1996: 40). But contrast, idealization involves making claims that are, taken strictly, false (for example, the non-existence of envy, the idea of a closed society). O’Neill’s charge here is twofold, namely, that whereas abstraction is ‘unavoidable and in itself innocuous’ (1989: 209), the use of idealization is neither necessary nor innocuous:

Idealizations have no doubt many theoretical advantages. Above all they allow us to construct models that can easily be manipulated. However, they may fail to apply to any significant domain of human choosing. This failure is sometimes defended by construing ideals not as abstractions but as “simplifications”. This too is strictly inaccurate. A theory simplifies if it either leaves things out (i.e. abstracts) or smooths out variation. If it incorporates predicates that are not even approximately true of the agents to whom the model is supposed to apply, it does not simplify. If idealizations do not “simplify” the descriptions that are true of actual agents, then they are not innocuous ways of extending the scope of reasoning. … Idealization masquerading as abstraction produces theories that may appear to apply widely, but in fact covertly exclude from their scope those who do not match a certain ideal. (1989: 209-10)

O’Neill’s point is that the (avoidable) choice to engage in the use of idealizations may serve to make the theoretical task more manageable, but it comes at a significant cost in terms of the claim to offer guidance to political agents in general and does so even if we were to grant the priority of ideal theory for this purpose.

But granting this priority is the second area of controversy. It is denied that ideal theory is either necessary or desirable for a theory of justice. The claim that ideal theory is not a necessary part of a theory of justice has been advanced on the grounds that comparing injustices (i.e., working within nonideal theory) does not require a specification of the ideal (Sen, 2006 & 2010) or, as Anderson (2010: 3) more colloquially puts it: “Knowledge of the better does not require knowledge of the best.’ In response to the reply that ideal theory is needed for a *systematic* grasp of whether addressing a particular injustice rather than another better contributes to overall justice, Sen argues: ‘Investigation of different ways of advancing justice in a society (or in the world), or of reducing manifest injustices that may exist, demands comparative judgments about justice, for which the identification of fully just social arrangements is neither necessary nor sufficient.’ (2006: 217) It isn’t sufficient because ideal theory, Sen claims, confronts problems of ranking disparate deviations from justice but ‘does not yield any means of addressing these problems to arrive at a relational ranking of departures’ from the ideal (Sen, 2006: 219) It isn’t necessary because (a) ‘for reasons both of incomplete individual evaluations and of incomplete congruence of individual assessments, incompleteness may be a hardy feature of judgments of social justice’ (Sen, 2006: 225) such that comparative judgments do not yield an identification of ‘the best’ since ‘it is only with a "well-ordered" ranking (for example, a complete and transitive ordering over a finite set) that we can be sure that the set of pairwise comparisons must also identify a "best" alternative’ (Sen, 2006: 223) – and yet (b) ‘such incompleteness would not prevent making comparative judgments of justice in a great many cases, where there might be fair agreement on particular pairwise rankings, about how to enhance justice and reduce injustice.’ (2006: 225-6). Sen concludes:

The question "What is a just society?" is, therefore, not a good starting point for a useful theory of justice. To that has to be added the further conclusion that it may not be a plausible endpoint either. A systematic theory of comparative justice does not need, nor does it necessarily yield, an answer to the question "What is a just society?" (2006: 26; for a response, see Thomas 2014)

To Sen’s line of criticism, Anderson adds the claim that ideal theory is not a desirable feature of a theory of justice. We can explicate Anderson’s position as one that sees political theory by analogy with medicine. Nonideal theory is a matter of diagnosis, prognosis and prescription and, hence, also like medicine, has no need for ideal theory since, as another advocate of nonideal theory John Dewey long ago pointed out, one does not need a picture of perfect (or even best possible under favorable conditions) health to identify or treat illness. Moreover, Anderson claims, a focus on a ‘realistic utopian’ picture of health may be damaging in two main respects. First, ‘we risk leaping to the conclusion that any gaps we see between our ideal and reality must be the cause of the problems in our actual world, and that the solution must therefore be to adopt policies aimed at directly closing the gaps.’ (Anderson, 2010: 4) Second, ‘starting from ideal justice may prevent us from recognizing injustice in our nonideal world.’ (Anderson, 2010: 5). For example, she charges that contractualist positions such as Rawls’ entail that ‘*when we assess whether a society is deviating from ideal justice, we still assess it from the standpoint of representative positions in the ideally just society*’ (2010: 5), however, since this ideally just society contains no racialised positions, they lack a standpoint from which to judge racially unjust societies: ‘Hence, ideal theories that make race invisible fail to supply the conceptual framework needed to recognize and understand contemporary racial injustice.’ (2010: 5).

It is not my concern to attempt to evaluate, let alone resolve, these debates. My purpose has been solely to illustrate the point that the Guidance Problem has a plausible claim to be the structural problematic that link the diverse theories that compose analytic political philosophy as a community of argument. Engaging in analytic political philosophy involves taking a stand on these issues either explicitly (for a good example, see the methodological appendix in Carens, 2013) or implicitly – and the proliferation of methodological reflection in this area may be reasonably taken to illustrate the claim of this section (REFS).

**Continental Political Philosophy and the Critique Problem**

In contrast to analytic political philosophy, the primary focus of continental political philosophy is not with formulating ‘realistic utopias’ nor, more generally, with the Guidance Problem. Rather, its focus begins from an acknowledgment that our practices of reasoning are historical artifacts whose formation and operation is bound up with relations of power and domination – reason is always impure and, hence, the first question for continental political philosophy concerns the confidence we can have in our practices of reasoning (including those of political philosophy) as sources of guidance. Taken in a capacious sense, continental political philosophy takes as its primary focus what Tom McCarthy (1994) calls ‘the critique of impure reason’ and the structural problematic that links the disparate strands of continental political philosophy in a community of argument concerns the character of this enterprise – this is the Critique Problem.

It is worth introducing this issue by noting a simple but significant difference between analytic and continental political philosophy, namely, that the latter is typically described as ‘social and political philosophy’, a point which registers the salience of the fact that continental theorizing – following the path, variously, of Hegel, Marx, Nietzsche and Heidegger - treats practices of political reasoning as embedded in broader social, economic and cultural structures. Put more formally, the thought is that the distinctions, concepts, assumptions, inferences and assertability warrants that characterize our practices of political reasoning cannot be taken as if they are independent of the relations of power that structure social, economic, cultural and political life but, rather, must be addressed as historical artifacts whose production, reproduction and transformation are bound up with, for example, governmental projects, social and political struggles, economic and cultural relations. In the tradition of the Frankfurt School, for example, this leads to a focus on identifying social and political pathologies in modern society. In contrast to analytic political philosophy, which rarely engages in any depth with historical approaches to the history of political ideas, continental social and political philosophy begins from an historically oriented outlook and this is the site where the Critique Problem arises. The central methodological topic concerns the relationship between history and philosophy where the minimal desideratum for a critical theory (in the most general sense) requires being able to vindicate the standpoint of the critique since this practice is located within the history of reason that it subjects to philosophical criticism. The demands of the basic requirement, however, are dependent on its relations to the further question of what we should expect from a critique of our practices of reasoning. Let me elucidate this structural problematic by attending to the forms of these debates.

One of the central problems that Kant’s critical philosophy is taken to have bequeathed to its successors concerns the relationship between philosophy and history. Kant’s project of critique seems both to require and rule out a history of reason (Yovel, 1980). Hegel, Marx and Nietzsche may all be read, in part, as engaged in the project of overcoming this (claimed) aporia by articulating forms of philosophical history or historical philosophy that seek reflexively to ground the authority of their critical interventions. The controversy concerning the appropriate articulation of the relationship of philosophy and history, and hence the form and grounding of critique, remains a central feature of contemporary social and political philosophy. We can illustrate this point in relation to the basic desideratum for any form of critique by briefly sketching the form of Habermas’ engagements with a range of rival modes of critical reflection including those of Gadamer, Adorno and Horkheimer, and Foucault. Let me stress that my concern here is not with the cogency (or lack thereof) of Habermas’ criticisms but solely with their form.

In his debate with Gadamer concerning ‘the logic of the social sciences’ (as Habermas’ frames the exchange), Habermas argues that hermeneutics (at least in its Gadamerian form) is incapable of being critical because its focus on tradition as all-encompassing ineluctably leads to a status quo bias. Gadamerian hermeneutics, the charge is, lacks the theoretical resources to identify the ways in which our linguistic practices are distorted by, and act as media of, material relationships of power and domination. In brief, the nub of Habermas’s criticism is this:

It makes good sense to conceive of language as a kind of metainstitution on which all social institutions are dependent; for social action is constituted only in ordinary language communication. But this metainstitution of language as tradition is evidently dependent in turn on social processes that are not exhausted in normative relationships. (cited in McCarthy, 1981: 183)

Language can serve ideological functions driven by, for example, functional requirements of social systems, a thesis that Habermas will later advance by distinguishing system and lifeworld, and identifying ideology as distorted communication arising from system colonization of the lifeworld (see McCarthy 1981 and White 1989). The claim he is making here though is not only that hermeneutics simply lacks the resources to articulate a critique of ideology and an analysis of social systems but also that the philosophical stance that it adopts blinds it to these requirements of social theory. Hermeneutics cannot offer a critical theory because its integration of philosophy and history remains restricted to a linguistic dimension, an ‘absolutization’ of tradition, that renders it unable to reflect on its own imbrication with power relations.

By contrast with his debate with Gadamer, Habermas’ criticism of the form of critique advanced by Adorno and Horkheimer, his predecessors in the Frankfurt School, in their influential work *Dialectic of Enlightenment* takes the form of arguing that this model of criticism exhibits a performative contradiction (Habermas, 1990: 106-130). As Finlayson nicely elucidates:

On Habermas’s view, the contradiction allegedly exists because, on the one hand, the authors cannot but make a validity claim to truth on behalf of *Dialectic of Enlightenment*, and thus performatively commit to offer reason and arguments in support of it, while, on the other hand, they are prevented from so doing by the content of the theory, which implies that all rationality (and hence validity) is a disguised form of power or domination. Without going into detail, the nub of Habermas’s objection is that Adorno and Horkheimer’s theory in *Dialectic of Enlightenment* is not *assertable* and hence not *credible*, and therefore ultimately self-stultifying and incoherent. (2009: 8)

The philosophical history of reason that Adorno and Horkheimer offer, Habermas charges, undermines the very possibility of the critical standpoint from which they claim to speak.

A third form of criticism is offered of Foucault’s genealogical mode of criticism (Habermas, 1990: 266-93). Here Habermas deploys the charge of performative contradiction again but it is now focused not on ‘truth’ but on ‘normative rightness’ (a phrase Habermas uses in several senses and with considerable lack of clarity). Thus the claim is that Foucault’s genealogical analyses are caught in a performative contradiction in that they present themselves as critical interventions, as weapons of struggle against domination, but cannot provide any normative basis for their audience to engage in the very activity of struggle they profess to enact. At best, on this view, Foucault’s mode of historical philosophy combines (as Fraser puts it) ‘empirical insight and normative confusions’ (1989: 17).

The merits (or otherwise) of Habermas’ charges need not concern us – and Habermas’ own effort to articulate the relationship between philosophy and history in his project of critique has been equally subject to criticism (refs); what is significant for our current purposes is the form of the charges that he advances as claims about the capacity of each of these proposed modes of critical reflection to meet the necessary criteria of a critical theory illustrate the centrality of the Critique Problem to continental social and political philosophy – a point reinforced by the proliferation of rejoinders to, and defenses of, Habermas’s various criticisms. Foucault’s essay ‘What is Critique?’ seeks to provide a genealogical sketch of the practice of critique or what he calls ‘the critical attitude’ in order (in part) to deflect Habermas’s attack by showing – at least implicity – that Habermas identifies critique with what is only one form of critical reflection and hence seeks to impose a false unity onto a multiplicity of ways in which critique can be carried out. Reflecting on this point can help further ground the claim that the Critique Problem operates as the structural problematic of continental social and political philosophy.

We can approach this issue by focusing on the issue of the normativity of critique. Thus, for example, Habermas’ criticisms of other projects of critical reflection are, in part, predicated on his view that any adequate critical theory must be able to offer an account of its own normative foundations, that is, it must be able to reconstruct the normative contents of modernity in a way that grounds its own critical activity as standing in a justified relationship to this normative outlook. In Habermas’ own case, the reconstruction of the normative outlook of modernity is given expression as ‘discourse ethics’ and the emancipatory aims of his critical theory are normatively founded on the claim to identify and enable the overcoming of those social and political pathologies that obstruct the realization of these normative contents. Initially, Habermas sought to provide a philosophical justification of Discourse Ethics independently of the modernization thesis that is integral to his account of modernity via a formal deduction of the principle U (which reconstructs the grounds of validity of moral norms) from the non-moral premises of his pragmatic theory of meaning; latterly, however, in the continued absence (and perhaps impossibility) of any successful derivation of U, Habermas has proposed an abductive justification of the principle U predicated on his modernization thesis. This shift, as Finlayson (2000) has acutely demonstrated, involves a major change that alters the relations between the component elements of Habermas’ project of critique, not least a re-articulation of the relationship of history and philosophy in a way that makes the historical reconstruction, via the modernization thesis, of the move to discourse ethics as the normative outlook of modernity much more central to the form and grounding of Habermas’ project of critique. However, for our current purposes, what is important is that this shift demonstrates Habermas’ ongoing commitment to the claim that an adequate critical theory must include a reconstruction of the moral point of view in modern society as a necessary, albeit not sufficient, condition of the project of critique as a project with universal scope.

Habermas’ claim is contested by many other approaches in continental social and political philosophy, but I will focus on a single instance. Foucault’s genealogical mode of criticism can be understood as a more modest project of critique that exemplifies the commitment to freedom and the critical attitude that it discerns with the history of modern European political thought and focuses on disclosing threats to freedom that arise in our thought and practices. Rather than reconstruct the moral point of view of modernity, Foucault’s project limits itself to a reconstruction of the critical attitude and the art of reflective indocility that is its practical correlate and can glossed as a commitment to playing the games of government with a minimum of domination. This genealogical mode of critical reflection does not aspire to the universality of Habermas’ project of critique, rather it has a generality of scope that is determined by the specific practices (including practices of critique) that it investigates. It seeks to link ‘as tightly as possible the historical and theoretical analysis of power relations, institutions and knowledge, to the movements, critiques and experiences that call them into question in reality’ (Foucault, 1984a: 374) in order to ask ‘in what is given to us as universal, necessary, obligatory, what place is occupied by whatever is singular, contingent, and the product of arbitrary constraints?’ (Foucault, 1984b: 45). By contrast, as Tully (1999: 100) remarks: ‘the aim of Habermas’ approach is just the opposite: to determine in that which is given to us as a limit what really is a limit – necessary, universal and obligatory.’ Foucault’s reciprocal charge to Habermas is that to insist on this universalist model of critique is arbitrarily to restrict the practice.

Foucault’s point is not merely a point about the lack of adequate justification for Habermas’ claim concerning the proper form of critique (see Owen, 1996 and 1999, Tully 1999) but also an implicit claim that Habermas is wielding this conception of critique as if its justification were already established:

The polemicist … proceeds encased in privileges that he possesses in advance and will never agree to question. On principle, he possesses rights authorising him to wage war and making that struggle a just undertaking; the person he confronts is not a partner in the search for truth, but an adversary, an enemy who is wrong, who is harmful and whose very existence constitutes a threat. For him, then, the game does not consist of recognising this person as a subject having the right to speak, but of abolishing him as an interlocutor, from any possible dialogue; and his final objective will be, not to come as close as possible to a difficult truth, but to bring about the triumph of the just cause he has been manifestly upholding from the beginning. The polemicist relies on a legitimacy that his adversary is by definition denied. (1984c: 382)

Aside from its coded rejoinder to Habermas’ engagement with Foucault’s work as standing in a performative contradiction with Habermas’ own stated orientation to the ethics of discourse, Foucault is making a more general point in this passage which is common to continental social and political philosophers, namely, that the practices of reasoning (including practices of critique) in which we engage are themselves moves within the play of power relations that can support and/or challenge existing structures of domination. Political philosophy – analytic or continental – is not independent of power relations and the ways in which we practice political philosophy, the conceptual distinctions that we make (consider the use of the analytic/continental distinction), have an ethical dimension that is integral to this activity. There are two aspects to this ethical dimension that we might refer to these as the illocutionary and the perlocutionary respectively. The former is nicely elucidated in Foucault’s remarks concerning dialogue with which, for example, Gadamer, Habermas and Derrida would broadly take themselves to concur:

In the serious play of questions and answers, in the work of reciprocal elucidation, the rights of each person are in some sense immanent in the discussion. They depend only on the dialogue situation. The person asking the questions is merely exercising the right that has been given to him: to remain unconvinced, to perceive a contradiction, to require more information, to emphasize different postulates, to point out faulty reasoning, etc. As for the person answering the questions, he too exercises a right that does not go beyond the discussion itself; by the logic of his own discourse he is tied to what he has said earlier, and by the acceptance of the dialogue he is tied to the questioning of the other. Questions and answers depend on a game - a game that is at once pleasant and difficult - in which each of the two partners takes pains to use only the rights given him by the other and by the accepted form of the dialogue. (1984c: 381-2)

The latter can be understood in terms of the ways in which the terms of philosophical discourse functions to support or challenge power relations, for example, the ways in which a discourse of modern constitutionalism has acted to prescribe the terms on which the struggles of indigenous peoples in settler societies are to be adjudicated and thus efface the standing of the indigenous legal and political traditions in terms of which these struggles are voiced (Tully 1995). How to reflect on the ethics and politics of critique is itself an integral aspect of the Critique Problem and one much to the fore in debates within subaltern studies as well as, for example, in critical race studies, feminist theory and queer theory.

It is no more my concern here than in relation to the Guidance Problem to attempt to adjudicate these debates, rather this brief and notably partial sketch is simply designed to illustrate the point that the Critique Problem is plausibly construed as the structural problematic of continental social and political thought.

**Bridging the Divide: Activist Political Theory**

In the preceding discussion, I have tried to make a *prima facie* case for the claim that analytic political philosophy and continental social and political philosophy are distinct enterprises characterized by different structural problematics. This need not entail, however, that they cannot complement each other or learn from each other as, for example, although characterized by a non-trivial amount of mutual misunderstanding, the Rawls-Habermas debate illustrates (for a good overview, see Finlayson & Freyenhagen 2011), but nor does it entail that we may not develop practices of political philosophy that combine analytic and continental features. In this section, I want to take up this latter topic.

Let us begin by noting that continental social and political philosophy supports a non-ideal approach to enquiry and is generally skeptical of the merits of ideal theory (as standardly conceived).[[2]](#footnote-2) This is, first, because its orientation is to start from where we are and ask not what principles should govern our conduct under the best conditions we can envisage but what conditions are required for us to be reasonably confident of the practices of reasoning in which we engage each other – and, second, because continental approaches are much more sensitive to the point that our practices of reasoning cannot escape entanglement with power relations.[[3]](#footnote-3) It is no accident in this respect that non-ideal ‘analytic’ theorists such as Elizabeth Anderson and Iris Marion Young are much closer to some strands of ‘continental’ theory than those working on ideal theory (and, for example, Anderson’s recent (2010) work on racial segregation deploys the social psychology of attribution biases in accounting for the production and reproduction of stigmatizing racial stereotypes in a way that offers a robust basis for expanding the range of ideology-critique). It is worth reflecting on this point because it indicates a direction in which the reconciliation of analytic and continental orientations may lie in that both Young’s work and Anderson’s recent work are examples of what, to borrow a useful phrase from Lea Ypi (2011), may be called ‘activist political theory’. By this phrase, I means that it is a form of theorizing that (a) begins with the experience of specific situated agents or groups, (b) seeks to clarify that experience for the agents in ways that motivate and enable struggles of freedom or against injustice and (c) offers guidance with respect to such struggles. Let me elaborate.

Activist political theory begins by reflecting on the experience of some set of agents as participants in specific practices in order to draw attention to the ways in which these practices foster relationships of, for example, unfreedom, inequality, or injustice. It seeks to problematize the experience of these relationship as, for example, misfortune (rather than injustice), natural (rather than constructed), necessary (rather than contingent) or obligatory (rather than imposed). It does this by reconstructing the history and effects of the relevant practices in a way that demonstrates how it institutes and reproduces asymmetric power relations and the effects of these relationships. Finally, it attempts to guide the struggles of those who are motivated to resist and transform these practices in ways that support, for example, freedom, equality or justice. Such guidance may be provided by, variously, pointing to exemplars drawn from similar or related struggles, articulating principles of action or proposing concrete policies. Consider two examples to which I have already adverted.

In *Strange Multiplicity* (1995), James Tully attempts to show how the practice of modern constitutionalism has marginalized and managed the claims of indigenous peoples. He does so by reconstructing the history of this practice in order to demonstrate that its formation and hegemony is itself bound up with colonial and imperial projects, i.e., that it claims to impartiality and universality conceals its entwinement with forms of partiality and particularity in which legitimizing the domination of indigenous peoples is an integral part. Tully’s historical reconstruction, however, also identifies an alternative practice – common constitutionalism – which he proposes as a basis for the evenhanded engagement of indigenous and settler groups in coming to a fair constitutional accommodation (for fuller analysis, see Owen 1999 and 2012).

Consider, second, Elizabeth Anderson’s *The Imperative of Integration* (2010) which focuses of racial inequality is the USA as a ‘durable inequality’. Anderson focuses on showing how the durability of this inequality is the product of a history of practices of spatial and role segregation between Whites and Blacks that is rooted in, and reproduces, forms of racialized injustice while also supporting forms of reflection and knowledge (for example, in both popular and social scientific discourse) that represent the inequality in question as a matter of (mis)fortune rather than injustice. Anderson’s analysis offers guidance in the form of identifying spatial and role integration as a policy that has the potential to support racial equality.

These two very brief sketches also draw attention to the point that acts of activist political theory have a necessary specific and limited scope; they are focused on particular practices and on enabling political struggles in respect of these practices. There is a necessary modesty to this way of bridging the analytic-continental divide and this points to a two related challenges to which this practice can be subject. The first objection involves asking how, in the absence of a more universal form of critique, we can be confident that this practice does not generate blindspots in relation to other practices of unfreedom, inequality or injustice. The second objection asks how, in the absence of an ideal theory, we can judge whether the guidance offered in relation to particular struggles support overall freedom, equality or justice. Both of these are pertinent questions that deserve serious consideration, but they do not negate the central point of this section, namely, that this divide between analytic and continental political philosophy can be bridged.

**Conclusion**

In this essay, I have sought to do two things. The first is to offer a characterization of analytic political philosophy and continental social and political philosophy in terms of what I have called ‘structural problematics’, proposing that the identity of the former can be grasped in terms of *the Guidance Problem* and the latter in terms of *the Critique Problem.* The second is to suggest one way in which this divide can be – and is – bridged in terms of what, using Ypi’s phrase albeit not her characterization, I have called ‘activist political theory’. The arguments offered are necessarily limited and defeasible, however, my hope is that they provide a basis on which a more productive exchange between practitioners of analytic and continental philosophy may be built.

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1. These two orientations do not exhaust the possible forms of political philosophy but they do, I think, characterize much of it. [↑](#footnote-ref-1)
2. Note, however, that Ideal Theory can be conceived in different ways that would align in more closely with continental social and political theory. For two relevant views, see Laden (2013) and Ypi (2011). [↑](#footnote-ref-2)
3. It is always a question that can be asked of our acquisition of intuitions, beliefs, reasons and perspectives whether the conditions under which we acquire them support or do not support their claims to our allegiance. This is not, of course, to say that we cannot acquire, for example, beliefs that are true through processes of belief-formation that are not truth apt; it is, rather, to say that if and when we do acquire beliefs in ways that are not apt for the acquisition of true beliefs, we have reason to reflect critically on the belief in question, to seek to test its credentials. It is this which leads Bernard Williams to adopt what may be called *the critical theory principle*, roughly that that the acceptance of a justification does not count if the acceptance itself is produced by the coercive power which is supposedly being justified (Williams, 2002: 225) The general form of such ideology-critique within the tradition of the Frankfurt School has been specified by Geuss as follows:

a critical theory criticizes a set of beliefs or world-picture as ideological by showing:

that the agents in the society have a set of epistemic principles which contain a provision to the effect that beliefs which are to be sources of legitimation in the society are acceptable *only if* they could have been acquired by the agents under free and uncoerced discussion;

that the *only* reason the agents accept a particular repressive social institution is that they think that this institution is legitimized by a set of beliefs embedded in their world-picture;

that those beliefs could have been acquired by these agents *only* under conditions of coercion.

From this it follows immediately that the beliefs in question are reflectively unacceptable to the agents and that the repressive social institution these beliefs legitimize is not legitimate. (1981: 68)

The point is not limited to beliefs, however. Nietzsche’s and Foucault’s genealogies may be seen as attempts to show how we have come to be held captive by a picture or perspective in ways that are not reason-apt (for example, because driven by *ressentiment*), that is, how we come to see some feature of ourselves or the world under a given aspect, and to free us from the grip of this picture so that we can evaluate it by comparison with other ways of seeing this feature of ourselves or the world (Owen, 2002). In a slightly different vein, Gadamerian hermeneutics may similarly be seen as a way of seeking to free us from local horizons through engagement with other ways of being in order to support the truth-apt character of our web of beliefs. One may see the development of comparative political theory as illustrating the difficulty and significance of the hermeneutic ‘fusion of horizons’ in this regard. [↑](#footnote-ref-3)