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Habermas and Religious Communication: The Insufficiency of the Translation Proviso

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Abstract: Much has been debated and written about the translation proviso, its implications, and its rationality. At its core, it is about communication and a transition in religious communication that means it can become secularly engaged. This paper argues that the theory of the translation proviso is insufficient to accommodate religious communication and, in order to support the arguments made, considers associated aspects of the work of Habermas, such as solidarity, tolerance and universalism, as well, of course, as communication. Considerations in this wider context lead to a growing awareness that the translation proviso and its prescriptive tendencies may be seen as being an ominous contradiction of much of the other work of Habermas and that, far from being postmetaphysical and postmodern, it may have elements of being a ‘big idea’.

Keywords: Jürgen Habermas; religious communication; the translation proviso theory; solidarity; tolerance; universalism

1. Introduction

Perhaps reflecting a world that was fundamentally changing, the thoughts and writings of Jürgen Habermas have evolved and developed over a period of decades. Along with changes in the geopolitical landscape have come economic liberalisation on a grand scale, the opening of markets, and the potential for nation states and individuals within them to engage and move towards an accommodation of ideas and beliefs that not only transcend external borders but also those that exist within them.

In order that such a normative change may be achieved, it has been necessary to consider the cognitive environments that exist and the conditions under which they may adjust. Against the background that existed at an earlier time, Habermas focused his attention on the secular perspectives of communication and solidarity, on the necessity of communicative processes, in establishing a social theory. More recently, and particularly where factors such as Islamic terrorism have come to the fore, greater attention has been directed (by Habermas) towards the critical role of religion and how it may coexist within postsecular and postmodern societies. His translation proviso appears to be a means whereby all the issues apparent in notions of religious plurality within postsecular societies can be conflated into a process that enables the progress of humanity towards a more harmonious future. In essence, Habermas seeks to find the means by which there can be reconciliation between the secular and the religious, a pragmatic way that is able to overcome the otherwise intractable positions existing between the religious and non-religious. First articulated by Habermas in his 2006 work *Religion in the Public Sphere* (Habermas 2006)¹ the proviso seeks to go beyond the apparently insufficient

¹ Habermas suggests that even if they only speak in religious language in public and even if they only hold and wish to express “religiously justified opinions”, those who are religious, as members of “civitas terrena”, are empowered to be authors of laws but, as “they may only express themselves in a religious idiom under the condition that they recognize the institutional translation proviso, they can, trusting that their fellow citizens will cooperate for accomplishing a translation,

position of Rawls with regard to reasonable pluralism and public reason, where tolerance and ‘liberty of conscience’ must be acceptable to all citizens and will regulate doctrinal rivalry (Patten 2012). The problem for Habermas is that the postmodern world has shown that such an accommodation is not realistic; therefore, while the expression of religious beliefs can be made in the public sphere, they can only be considered institutionally if they are first translated into acceptable secular language. Habermas argues that such a proviso protects the necessary (negative) liberty of being free from religious coercion, while at the same time upholding the principle that all citizens in democratic societies “are obliged to provide reasons for one another, as only thus can political power shed its repressive character” (Habermas 2006, p. 5). However, it is insufficiently accountable in a number of critical areas and these are considered in this paper.

2. Religious Communication

Habermas supports his translation proviso theory with consistent reference to Modernity and to the changes that religion accepted in order that it could continue to flourish within the new mindset (Habermas 2006). The neutrality of the state is necessarily preconditioned,² but this is not of itself enough if it means the mere tolerance of religious minorities—there is a moral responsibility among the religious and non-religious to “learn to take the perspective of others” (Habermas 2006, p. 4). The foundation of such an approach by religious communities stems, it is important to emphasise, from a change in their consciousness from Reformation and The Enlightenment. This was a response to pluralism, modern science, and “the spread of both modern law and profane morality”. Religious citizens must “develop an epistemic attitude toward other religions and world views”, must “develop an epistemic stance toward the independence of secular from sacred knowledge”, and accept and understand “the priority that secular reasons enjoy in the political arena” (Habermas 2006, p. 14). Apart from the question of thus effectively positioning the proviso within a westernised frame and along a line of development that is based in Judeo-Christianity (a point that is discussed at greater length below) and assumptions concerning the nature of sacred knowledge, Habermas appropriately questions the potential asymmetry between the placing of such expectations on religious citizens compared with those who are non-religious. This is addressed by an argument that if the cognitive burden placed on secular citizens is separated from just a need for tolerance of religion, if there is a realisation that a postsecular society means that they should be “epistemically adjusted” to the ongoing fact of religious communities and to an understanding that secular reason has its limitations (Habermas 2006, p. 16), then the asymmetry will not exist, provided the preconditions of such complementary learning processes have been undertaken. Such a postmetaphysical understanding adopted by secular citizens will avoid the alternative to fulfilling the ‘debt’ citizens ‘owe’ each other in order to achieve civic solidarity, which is a society that is fragmented between world views, one that is unequal and unstable.

Habermas notes the question posed by Rawls regarding the difficulties that exist in expecting that the religious and non-religious should embrace a secular society when both sides may not benefit from it (Habermas 2006) and answers it by not only endorsing the role of Modernity but also by suggesting that to deny the right (of Modernity) is to position the debate as one that takes place within theology. It becomes one where “theological propositions can only be countered by theological arguments, and historical or epistemological propositions by historical and epistemological arguments” (Habermas 2006, p. 19). But by placing such emphasis on Enlightenment and on adjustments made

grasp themselves as participants in the legislative process, although only secular reasons count therein (Habermas 2006, p. 10).

² The notion of neutrality is itself a contested issue—Alan Patten (Patten 2012), for example, notes four assumptions upon which the notion can be challenged in liberal states (the pursuit of perfectionism, judgments concerning prohibition, whether neutrality represents effects or intentions and the value of personal autonomy) before arguing that none of these are necessary considerations for neutrality to exist.

towards a secular civil society, the discussion is de facto positioned within the non-religious sphere. Aside from assumptions made with regard to solidarity, universality and tolerance, this also suggests that religious communication can be positioned within the (secularised) translation proviso, and that ‘communicative rationality’ (Habermas 1998a, p. 183) can take place between religious communities, between the religious and non-religious, as well as within religions.

Before further considering the values and implications of religious communication, some consideration can be given to the setting in which Habermas positions his proviso. In their apparently strong support for the translation proviso, Charles C. Nweke and Chukwugozie D. Nwoye succeed in crystallising the issue under consideration. An overview of the path of reason and its role in the structural evolution of the public sphere, as well as a discussion of the views of Habermas in terms of civil society and religion, leads to the conclusion that anyone seeking to bring religious potential truths to the public sphere has “no option other than to translate them into secular language for common understanding” (Nweke and Nwoye 2015, p. 43). But there clearly are options in a neutral, impartial, and pluralistic state, and the most obvious alternative is avoiding engagement and a notion of civil solidarity and creating a society, perhaps recognisable in the modern world, where there is a fragmentation between world views and where there are inequalities and potential for instability, as described by Habermas. In lieu of compunction, one question is whether the arguments put forward by Habermas represent an adequate reflection of the role of the state and of its citizens. The assumption of neutrality is belied by the possibility that the state is structured towards non-neutrality in terms of its religious and cultural development, and the assertion of an apparently equal burden placed on religious and non-religious citizens may be seen as a function of that non-neutrality and a stand point that is nuanced towards one religion or secularity at the expense of religion (in a wider and more inclusive sense). As Andrea Baumeister summarily notes, “Habermas does not resolve the uncomfortable tension in his approach between his continued commitment to strict political secularism and his picture of a postsecular society characterised by a critical engagement between religion and the traditions of the Enlightenment” (Baumeister 2011, p. 2). Even if there were a sense of neutrality, even if religious communities could be lumped into one amorphous mass and called the ‘religious’ (as opposed to the non-religious), and even if religion is granted separateness from the state with its own epistemic sovereignty, this does not mean that it is either structured in the same way that the state is (and Habermas seems to expect it to be), or that its communication ethos can lead it to the proviso-necessitated language of secularism.

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As Edmund Arens points out, Habermas has taken the view that religion and communication are not compatible, but that through a process of social evolution associated with Modernity and Enlightenment (particularly with Judeo-Christianity), communicative action is “separated and released from sacredly protected normative contexts” (Arens 2005, p. 383). Although more recent work by Habermas may revise the notion that religion is communicatively obsolete, his view retains contingencies based on Enlightenment-enabling changes and cooperation that may not fully understand the fundamental basis of religion. The important transformation that endures in religion is to explain “the contingent reality of the possible with contingency formulas, and of absorbing destabilizing irritations that come from the experience of contingency in personality and societal systems” (Arens 2005, p. 375). How a religion expresses itself culturally may undergo some changes, but these changes do not shed ritual or notions of salvation, nor do they relinquish their hold in seeking to deal with contingency (Beyers 2011). In this sense, the Enlightenment becomes a superficiality in terms of fundamental change, while the *raison d’être* remains unchanged. Citing Hermann Lubbe, Edmund Arens contends that ‘indisposabilities’ are “neither affected by some form of enlightenment nor are they laid hold of through some form of emancipation: they are resistant to enlightenment and emancipation. They are simply there, as we too are simply there”. The contingent fact (of existing as opposed to not existing) is confirmed by ritual and has no other meaning—“what matters is whether religion really fulfils its function of coping with contingency through its acceptance of contingency” (Arens 2005, p. 376).

If the centrality of contingency is seen and understood in terms of religious cognition and has validity (and if it did not, what is the alternative core function of belief?), symbols and rituals are not a discardable “archaic part left over from the stage of symbolically mediated interaction” (Habermas 1987, p. 54), but retain their coordinating function, at least within religious communities. Because of a need to discard this function, Habermas has to replace it and, as Nicholas Adams points out, this replacement is world views that are capable of rationality and which can bind communities through communicative action. But even if such an (epistemically unsupported) leap of faith is accepted, it still does not mean that the communicative action necessary for the translation proviso to be valid takes place. The irrationality of ritual can be criticised for not being at all reflective, but it provides a powerful form of social solidarity. Modern forms of communication, on the other hand, are reflective but “they do not bind their members together; they suffer from motivational deficit” (Adams 1998, p. 75). Without any substantive argument to support his claims, Habermas is asserting that an irrational force can become rational, it can hold the same socially cohesive qualities that bound people together; that understanding and solidarity can be achieved; and that the metaphysical can become postmetaphysical through communicative action. It suggests an agnostic world view that is seeking to assume that non-religious values and cognitions apply in one that is religious—it does not recognise that the core aspects of the ‘indisposabilities’ are immutable.

However, it is important to emphasise that Habermas effectively qualifies the circumstances under which communicative action takes place, where criticisable validity claims can be made and where there is a community of communication (Habermas 1987). If a society is based in moral authority, one where claims are heralded without the expectation of dissent and where both the claim and agreement of it is expected, conformity will be a norm. There is, really, no alternative to a predetermined and anticipated outcome. However, if claims are made within a community where they are accepted as being criticisable, their potential for either assent or dissent makes the claim more binding if assent

is given. If they are rejected, the reasons are given and they have not been summarily refused; therefore, in either case there is a “binding force” that is based on the “distinction between strategic and communicative action” (Adams 1998, p. 77). The reflective nature of this scenario—the capacity for inner self-criticism and evaluation of claims made and received—is a socialising process that moves solidarity based in the immutable and the sacred to one based in rationality and argument (Adams 1998). The critical question is whether such discourse, and such a shift in it, must occur universally in a society that accepts and encourages criticisable validity claims. Can that which is held to be sacred be validly criticised in the cognition of religious communities and individuals that belong to them, when such criticism may challenge the core of ritual and, indeed, of religion, which is coping with a contingent fact? For the answer to be agreeable in Habermasian terms, there must be a transition from that which is held to be sacred to arguments that may be criticised, that both can effectively exist within one realm of human cognition; however, and as Nicholas Adams points out, the possibility is that they are separated parts, in other words that they can cohabit human cognition even when validity claims are norms (Adams 1998). In this case, it may be perfectly reasonable that individuals, and the religious communities to which they belong, are responsive to and accept the duty implicit in postsecularism and postmetaphysicism of engagement and validity claims within society, while at the same time seeing the rituals and sacredness of religion as being inviolable—tolerance alongside intolerance.

Perhaps an analogy can be made, even if it is a relatively poor one, in order that the point can be justified. The notion of a globalised world is often touted despite the fact that this is a world of nation states, of mercantilism and power, and one where the first duty of any government is to protect the interests of its own citizens (implicitly at the expense of citizens of other states). Nations trade, form economic blocs, etc. because there is a mutual self-interest in trade; even though individuals may communicate and even interact at one social level more frequently, and even have a greater understanding of cultural values and differences, there is no evidence that they are prepared to compromise their nationhood or the influence that their nations have. At best, ‘globalisation’ means the forming or reforming of existing fractures (Walby 2003). Thus, even though rationality and reason may suggest a truly global state of affairs, there remain parts of the realm of human understanding that are inviolate, that do not allow validity claims that trespass on that which is held as being ‘sacred’. From such a singular and even contentious example, the discussion can perhaps be broadened by considering a breadth of positions that can exist within a plural society. Hugh Baxter first draws attention to the views of Rawls and the core of his proposition with regard to political liberalism (Baxter 2011) and the (Rawls) proviso before making comparisons with that of Habermas³. The “central premise” of this view is “reasonable pluralism”, where “free societies are necessarily divided by incompatible yet reasonable comprehensive doctrines” (Baxter 2011, p. 193). This includes a spectrum of values that are doctrines, for example families and non-religious social groups as well as religion, where each individual is likely to hold some, and which fits into a comprehensive doctrine that is “freestanding”—it is not centred on, nor based, in any specific central (or centrally biased) arena (Baxter 2011, p. 193). Rawls thus argues for consensual justice, one that exists and functions while

³ The debate had been running for a considerable period before being entered by Habermas with his 2008 book *Between Naturalism and Religion*. The starting point for Habermas was the debate as it had evolved by the time he entered it. Apart from Rawls, the debate included those such as Robert Audi, who proposed that there was a responsibility on religious communities not to support laws that were restrictive on conduct unless secular reasons (meaning those not depending on the existence of a God) could be shown. This condition was seen by others (for example Paul Weithman and Nicholas Wolterstorff), as being too restrictive and would mean the marginalisation of religion. This, argues Weithman, is contrary to the contribution made by religion to American democracy and political life. Wolterstorff argues that restraints on reasons is in conflict with liberal democratic ideals and exemplifies the point by noting that social movements, embedded in religion and religious reason, had moved societies towards liberal democracy and away from (secular) and often brutal systems such as Nazism, Communism and Apartheid. Any restriction on religious reasons, furthermore, would represent a restriction on religious freedom. Although Habermas adopted a position that is perhaps closer to that of Weithman and Wolterstorff than to that of Audi, he sought to reconcile the two with his emphasis on postmetaphysical thinking (Adams 1998).

including a range of values and reasons. It is suggested that Rawls' proviso goes some way to overcoming the cognitive dissonance that exists, where an individual can indulge communicative action at one level, while accepting strategic communication and immovability in others. If this is a more plausible explanation of enlightenment and of its evolution towards postsecularity, then the criticism of it (the explanation) as being too narrow, made by Habermas, is perhaps misguided, because the alternative (proposed by Habermas) of an ill-explained and ill-justified arena of postmetaphysical capabilities, based on an interpretation of enlightenment that is too ambitious, leads to a translation proviso that is too epistemologically challenging. Fundamentally, if religion and religious communication is one of a number of separate entities that can exist within the metaphysical realm alongside postsecularism, the translation proviso becomes a misrepresentation of that realm. For Habermas and his proviso, there must be an uncompromising shift in the process of socialisation "from solidarity rooted in orientation to the sacred to solidarity rooted in the ability to win assent through argumentation" (Adams 1998, p. 78).

The importance of communicative action for Habermas, and its distinctions in terms of gaining assent or dissent (yes/no) through argumentation in comparison with communities that are based in moral authority where dissent is not anticipated, has been briefly discussed (above) and can be enlarged upon. As Nicholas Adams points out, the gaining of agreement through communicative action is, for Habermas, more binding in a socially significant way—it can repair the "motivational deficit in Kantian moral theories" (Adams 1998, p. 247). If there is, asks Adams, a connection between being bound by the coming to a decision, does that mean that there is enduring binding together of those involved? The answer is unclear and is not addressed by Habermas—it is a further assumption that perhaps needs to be addressed if the proviso is indeed to provide the sort of social cohesion ascribed to it, as opposed to alternative settings of social solidarity. Adams hints at a lack of understanding by Habermas of scriptural tradition in terms of the yes/no and of communicative action. There are, he suggests, genuine arguments in scriptural reasoning between different traditions, but this is between traditions, and its "goal is study rather than agreement"—the reality is that "participants in scriptural reasoning acknowledge only the norms of their own tradition". "Do those involved in scriptural reasoning suspend their commitments to their tradition? They do not. Do they acknowledge the authority of the other tradition for themselves? They do not. Do they acknowledge the authority of the other tradition for the other? They do" (Adams 1998, pp. 247–48). In this aspect of religious communication, those involved are already bonded to their religions and their traditions and rituals—acceptance of and communication with other traditions is to do with a commonality of commitment and belief, rather than with the establishment, or even any attempt to establish, common ground between them in terms of that which already exists and which is immutable.

The recognisable rationality of a theological perspective when it is expressed theologically (by Adams) is in contrast with that of Habermas, expressed as it is through a secular lens. On the other hand, favouring such a stance may suffer in the way described by Habermas (see above), in that it thereby ignores the effects and progress that came from the Enlightenment, but such a position surely seeks to exclude theologians from a discussion that is about religion. Accepting that theologians and those who are religious are allowed to put forward their perspectives on religion and religious communication would provide some insight into why communicative action in religious argument is not at all the same—"if I were to express this belief (that the sufficiency of my Christian belief could be questioned), my Muslim colleagues would be the first to say that they cannot do scriptural reasoning with me, because I have forfeited the very difference between us that makes such study possible" (Adams 1998, p. 249).

Habermas sets out a discourse model that establishes a number of requirements (such as reciprocal perspective taking, putting oneself in the position of the other, and conducting arguments publicly rather than within individual consciousness) that are effectively procedures for coming to reasoned agreement (Habermas 1990). But by so doing, he is subjectively conditioning the argument to one that is aligned with his own core beliefs—he is assigning his own levels of credence to some of a range

of criterion and ignores the claims of others. In this sense, and citing Iris Young, Michele Dillon notes that Habermas has embraced the “disembodied coldness of modern reason”, and it is therefore “not a surprise that Habermas dismisses validity claims that are tainted by their association with what he sees as non-rational domains of life” (Dillon 1999, p. 291). An understanding of differing aspects of reasoning existing within human cognition, identifying that which is sacred as opposed to that which is within the secular realm, that communicative action may exist alongside strategic communication and that there may be divisions between incompatible doctrines, as proposed by Rawls, have been discussed in this paper. It is not a contradiction of these points to consider that further levels exist and that reason can exist, even when religious faith itself is unquestionable. A number of examples are provided by Michele Dillon in support of this argument, such as the influence of Greek scepticism on early and later on 16th and 17th century Christian thinking, that of Islamic philosophy as it emerged during the ‘Golden Age’ on Christian theologians (for example Thomas Aquinas) and “the cross-fertilization of ideas between Judaism and Christianity” (Dillon 1999, p. 291). Through the lens of the Catholic Church (perhaps the most likely religion to be supportive of Habermas’s concept of an uncompromisingly coercive and monopolising entity), Michele Dillon indicates that there has always been a coupling of faith and reason in Catholicism, that this has been confirmed as a result of, for example, the Second Vatican Council,⁴ and that the institutionalisation of papal infallibility (a socio-political rather than theological decree) is “constrained by the communicative ‘consensus’ that exists within the church” (Dillon 1999, p. 293). The problem is that Habermas not only ignores religious diversity, not only effectively divides society into two groups (the religious and the non-religious) but also expects that religious discourse has somehow shed (or, by definition, should shed) all of its religious components and ideals if it is to be communicatively engaged (the alternative in such an either/or scenario being fragmentation and instability). In thereby effectively prescribing a route to rationality and reason, Habermas is being irrational and in defiance of reason. The possibility exists that such a dogmatically nuanced view may also compromise factors that cannot be disassociated from the translation proviso, such as solidarity and tolerance.

3. Solidarity

As previously noted, the philosophies of Habermas have evolved and changed over the course of a career that spans a number of decades. This is very apparent in terms of his views concerning solidarity and where it should be positioned within modern society (Carrabregu 2016), because the change has been one that first supports a Kantian view of the autonomous individual and suggests that such a (Kantian) view can only be supported if it is framed as a moral obligation—“no solidarity, no autonomous Kantian morality” (Carrabregu 2016, p. 510), then appears to include a political and economic requirement (alongside morality), and then relinquishes morality in favour of a purely legal, political, and economic view. Support for this change can be seen in a progression of writings and speeches. In 1996, for example, Habermas not only emphasised the connection between modern law and solidarity but also the importance of communication by writing that “modern law lives off a solidarity concentrated in the value orientations of citizens and ultimately issuing from communicative action and deliberation”. In work published in 1998 with a focus on the European Union, Habermas included a material (economic) requirement for solidarity by proposing that the “integrative potential” of “democratic citizenship”—“can only found solidarity between strangers if it proves itself as a mechanism that actually realizes the material conditions of preferred forms of life” (Habermas 1998b, p. 119). Work by Habermas, published in 2013 describes a history of solidarity and

⁴ Although the Second Vatican Council included a reminder that the teaching and authority of the Church should be retained, it also stated that the faithful should be “free to search for the truth, voice [their] mind, and publicize it”, they should “always try to enlighten one another through honest discussion. all the faithful, clerical and lay, possess a lawful freedom of inquiry and of thought, and the freedom to express their minds humbly and courageously about those matters in which they enjoy competence” (Baxter 2011, p. 295).

a process where its original form, a legacy of “Judeo-Christian ethics of fraternity”, became fused with Roman republicanism and an “orientation toward salvation or emancipation became amalgamated with that toward legal and political freedom” (Habermas 2003, p. 11). In the 19th century, this broke down and led to antagonisms between classes, and these were finally institutionalised in democratic nation states (in Europe). Now it is economic tensions between states that, according to Habermas, threaten solidarity, and therefore “showing solidarity is a political act and by no means a form of moral selflessness”, solidarity is “not synonymous with ‘justice’, be it in the moral or the legal sense of the term” (Habermas 2003, p. 9). As Gent Carrabregu points out, the contemporary view of Habermas has been cemented in recent (2014) work (by Habermas) in which he states that “in earlier publications, I connected moral justice too closely with solidarity/ethical life” and “I no longer uphold the assertion that justice conceived deontologically requires solidarity as its reverse side” (Habermas 2004, p. 12, note 8). “Showing solidarity is a political act that by no means calls for a form of moral selflessness” (Habermas 2004, p. 10).

Thus, the (contemporary) view of Habermas with regard to solidarity is that it is very much politically positioned, secular (or perhaps postsecular), aligned with communicative action, and is on one hand based in economic wellbeing and on the other threatened by supranational economic forces. The role of religion, if it ever had one, is subsumed to a historically distant role, to a time when it became fused with secularism, effectively overtaken by human development (enlightenment). The questions are whether this is an accurate reflection of what solidarity means, whether it can be so easily seen as being within one (secular) human cognition, and whether it can be conflated within the unifying metaphysical (or postmetaphysical) entity necessary if the translation proviso is to carry any epistemological veracity. Addressing these questions requires an exploration of the meanings associated with solidarity and, indeed, whether the Habermasian concepts of it can be so named, or whether it is a convenient but inappropriate use of the term, when that of mutual economic self-interest is closer to the realities of human cognition and experience.

Habermas’s (recent) view of solidarity can perhaps be contextualised in terms of the complexities of it (solidarity), the elusive nature of even defining it, and the realms and levels at which it can be discussed. As Massimo Rosati points out, the questions of what it is that holds society together and how is society possible, central to sociology, are answered through social theories that are “concentrated on a particular way of answering” (Rosati 2000, p. 93). One way of answering is to see solidarity as being a “synonym for community”, a modern concept derived from the transposition of fraternity, the seed from which liberty and equality grew (The Cairo Declaration on Human Rights in Islam (CDHRI) 1990, p. 1). A concept of mutual respect, of equality, of “standing in for one another” implies symmetry, that there is “reflection between two self-consciousnesses”, but if the reflection is not complete, there will be asymmetry and the reciprocity will be one that is a relationship between “master and slave” (Hoelzl 2004, p. 48). Put another way, given that people are materially unequal and may have unequal political influence, the equality must be between moral agents who recognise a moral point of view (symmetry). Therefore, solidarity must be a moral concept in whatever form and at whatever level it is defined.

If the condition of symmetry and the consequences of asymmetry are put to one side, and solidarity is defined as representing social cohesion that “originates from the identification of constituting properties, convictions, capabilities or needs that are meaningful” to people, it becomes recognisable as the founding basis of communities, which were based not on affection or “self-concerned rationality” but, rather, on a felt obligation between moral agents (Derpmann 2009, p. 305). These obligations are founded on binding factors, such as faith, political persuasion, class, etc. but the essence of them is that they are based on unequal moral regard between those who are bound by a solidarity and those not bound by it. Defined in such a (recognisable) way, the communal nature of solidarity means that it cannot be universal—it is the solidarity of communities that distinguishes them from one another and which places moral obligations on those who are members of them (Derpmann 2009). The postsecular and postmetaphysical world that Habermas envisages with his translation proviso must transcend

such a communal definition of solidarity and establish it as universal. Michael Hoelzl describes the notion of universal solidarity as “utopian”, one that requires a “shift from solidarity among friends to solidarity with strangers” (Hoelzl 2004, p. 54). But does this shift to such a utopian ideal transcend the lessons of human history—can it be accommodated within a post metaphysical vision? One possible answer comes from Christian theology and the notion that one should love thy neighbour, even strangers. But not all people in a society are Christians and it can be suggested that the term is part of the communication ethos that represents Christian solidarity—it is a communal expression. A further possibility is prescription, in the way that religion was an original binding force that endorsed the authority of the sovereign, and which led to the establishment of nation states and a solidarity based in nationhood (Hoelzl 2004). But even this was the solidarity of one community (the nation state) that was bound in a way that separated it from other communities (nation states), the citizens of which were (are) bound by their own moral obligations to each other.

Max Pensky describes solidarity as a thread that connects the different parts of discourse theory and this includes all the work of Habermas. The connection between Habermas, discourse theory and solidarity is explained as being a “mode of reason that inhabits the attitudes and performances of persons as they communicate with one another”—it enables the giving and taking of reasons, the undertaking of “mutual and symmetrical obligations for justifying to each other what we believe and intend to do”; in short, “speaking and hearing, quite apart from what may be said and what is heard, already entails all the reason we can expect from ourselves and one another”. This transmission via “basic lingual competence” represents inclusion and “the affects and attitudes of persons, through political institutions and ultimately into the ethos of a democratic form of social life, can be summarized as solidarity” (The Cairo Declaration on Human Rights in Islam (CDHRI) 1990, p. ix). Thus, a contention that communication is solidarity, but even if this premise is accepted, inclusion means exclusion, that some individuals or communities will be excluded, or will exclude themselves. Clearly, some will be in such a category through a rejection of some principles that defy human values, such as those that support terrorist acts, but the translation proviso, bound as it is in communicative action, and based as it is on the conversion of religious beliefs and values into secular language, effectively excludes those who are religious, and the language of religion, from communicative action. If they are not part of the communication that constructs laws and that determines the nature of the society that they are part of, they cannot be included within a universal concept of ‘solidarity’. Therefore, if the translation proviso is, as previously noted, secular and excludes religious communication, it also de facto excludes a solidarity that includes religious communities.

Thus, it can be posited that in a modern liberal state the legal frameworks that exist have been framed through the solidarity of nation states and in this sense the positioning of solidarity as being legal, political and economic by Habermas is rational. But the translation proviso becomes irrational and in defiance of reason if it seeks to include religion in a society that, in Habermasian terms, is wholly secular. Solidarity, furthermore, is an elusive and nebulous area of human life and can be defined in many ways. Even if a stronger (and perhaps realistic) definition of it meaning one community with internal moral obligations as opposed to others is discarded, and even if communication is accepted as representing solidarity, it still does not lead to the universal solidarity necessary for Habermas’s proviso, because it is based on (secular) communicative action that builds laws and the frameworks of society but which excludes religious communication. Fundamentally, regardless of the rejection of a morality requirement by Habermas, and regardless of whether communication is held as being solidarity, and regardless of whether his more recent writings may align his definition more closely with economic self-interest (than with solidarity), the translation proviso is insufficiently inclusive of religious communication for the concept (of solidarity) to be upheld by it.

4. Tolerance

Habermas saliently notes that the establishment of ‘tolerance’ implies the drawing of a line beyond which there will be that which is not tolerated—“there can be no inclusion without exclusion”

(Habermas 2004, pp. 6–7). Therefore, how that line is drawn becomes a central issue; if it is drawn in an arbitrary, unilateral, and authoritarian manner, it will necessarily mean exclusion. However, if it is drawn in a way that is “universally convincing”, where all involved “reciprocally take the perspectives of the others”, the “thorn of intolerance” is blunted (Habermas 2004, p. 7). Religious tolerance and the practice of it, posits Habermas, fits comfortably within the circumstances in which people in societies that are democratic accept and reciprocate mutual tolerance. In order to preserve itself there will be limits and these will be towards those who seek to destroy it and its constitution; however, in proscribing certain acts, organisations, or both, there is a balance between reverting towards authoritarianism and protecting a constitution. This balance may be the allowance of a level of civil disobedience, alongside an acceptance that the kernel of reasoned change may exist within such acts on one hand, but intolerance towards acts of, for example, racism and fundamentalism on the other because these seek to deny the common rights associated with citizenship—“complete inclusion of all citizens as members with equal rights must be accepted before all of us, members of a democratic community, can mutually expect one another to be tolerant” (Habermas 2004, p. 11).

At this level, and based on an acceptance that beliefs on, for example, discrimination and chauvinism, offend equal rights, the description of tolerance by Habermas has rational validity if we are to live in liberal democratic societies. However, the view develops further, from a starting point that legal reasons “out-trump” those that are epistemic, to one that prescribes that religions have to “relinquish this claim to an encompassing definition of life as soon as the life of the religious community is differentiated from the life of the larger society”, regardless of an acceptance that every religion has a world view (Habermas 2004, p. 11). This line of reasoning, and view of tolerance, continues by suggesting that it is not enough to conform to secularly imposed laws but, rather, to revise attitudes and beliefs that are supported by Holy Scriptures. At this point, perhaps, the views of Habermas on religious ‘tolerance’ come into some alignment with the translation proviso and with its prescriptions. With emphasis on the Enlightenment and on the “modernisation of religious consciousness”, Habermas sets out three respects in which “traditional communities of faith must process cognitive dissonances that do not equally arise for secular citizens” (Habermas 2005a, p. 107). They must develop an “epistemic attitude toward other religions and world views”, they must “conceive the relationship of dogmatic and scientific beliefs in such a way that the autonomous progress in secular knowledge cannot come to contradict their faith”, and they must “develop an epistemic stance toward the priority that secular reasons enjoy in the political arena” (Habermas 2005a, p. 108).

One question that such a view raises is whether it moves the position of Habermas towards one that he warns against with regard to the unilateral and authoritarian imposition of the line of tolerance (see above). It may be argued that the prescriptive nature of these requirements effectively questions the rights of religious communities to communicate on a basis that has equality with secular citizens; Habermas, furthermore, emphasises political inclusion (tolerance), but this does not mean inclusion at other levels (Habermas 1998c). As Lasse Thomassen points out, not only does the political out-trump the ethical, but also that the one (political) requires common ground that can be applied and accepted universally, but the ethical does not require (nor is) so demanding or accepted. The common political ground is a constitution that all people can equally accept and abide by, while there is not any ethical common ground requirement. For example, “what is demanded of new immigrants is political, not national, acculturation” (Thomassen 2006, p. 443). However, the requirements placed in the translation proviso seem to require that the ethical becomes part of the political arena—it places conditions on religious communication in order that it can be tolerated in terms of being an equal partner in society, but this means inequality and conditional inclusion, which therefore (in Habermas’s terms) means conditional exclusion (intolerance).

If there is a core of tolerance that is political, and if this out-trumps the ethical and moral part of it, surely it will de facto be based in the religious and historical tradition upon which politics and laws are founded. Therefore, there will not be equality but, rather, the expectation of acculturation, supported by the translation proviso and the implications (discussed above) for religious

communication. Habermas's solution to this comes in the setting of the boundaries of tolerance, where "the political community engages in a process of critical self-reflection where the self—the subject of the democratic community—is dispersed in inter subjective relations of deliberation" (Thomassen 2006, p. 448). But is this a rational position to take? It means dialogue, but if the dialogue is within the existing status quo (nuanced as it is towards a given political or religious culture and constitution), it does not represent tolerance (Thomassen 2006) as defined by Habermas in terms of boundaries. Lasse Thomassen argues that if the boundaries are extended towards the inclusion of all citizens, it would include fundamentalists (who cannot be tolerated), but in terms of equality and communication, so too would those who were not willing to compromise their world views and fit them within the secularist position taken by Habermas.

Postmetaphysical thought is quite central to the views of Habermas and he articulates the position of religion within this realm. A naturalist position is rejected because it "devalues in other words moral, legal and evaluative propositions no less than religious statements"; it is "incompatible with any idea of political integration through a normative background consensus supposedly shared by all citizens" (Habermas 2005a, p. 107). But in rejecting naturalism in these terms, and in proposing a definition of postmetaphysical thought as being inclusive of religious world views, is there not a potentially uncomfortable contradiction with the prescriptive nature of the translation proviso, as described (above)? Where, it may be further asked, does communicative action in secular but equal terms exist for the religious when toleration, according to Habermas, "means accepting mutually exclusive validity claims" (Habermas 2003, p. 12)? It perhaps suggests that the notion of equality in toleration is not feasible because the language of religion (as discussed) cannot transcend the proviso-prescribed border between the public and the institutional sphere. In essence, there is a suspicion that the translation proviso is not only a contradiction of the meaning of some of Habermas's own work but is an attempt to conflate the unconflatable.

However, one notion that occurs frequently in the work of Habermas is universalism, that there are certain values common to all those who live in liberal democratic societies, aspects around which there is consensus and universal agreement. If such a view holds up to scrutiny, it may at least be posited that there is a meaningful possibility that the translation proviso may have limited potential in terms of intercommunication between religions and between the religious and the secular state (on the basis of universal values).

5. Universalism

Habermas emphasises that while members of congregations separate themselves from their social environments, liberal states rely on "a political integration of citizens that goes beyond a mere *modus vivendi*", and this reliance means that "the universalist order of law and the egalitarian morality of society must connect from within with the congregational ethos in such a way that one emerges consistently from the other" (Habermas 2005b, p. 347). There is a "culture of acknowledgment" whose first principles are "derived from the secularized world of the universalism of morality as rational natural law" (Habermas 2005c, p. 300) and, as noted, the thorn of tolerance is blunted if inclusion is universally convincing.

Questions that Habermas poses with regard to a global society, and his support for such a form of human existence, are taken up by Robert Bellah. The course of civil society is traced through history and to the American Constitution, the First Amendment of which is the "legal basis that makes civil society possible" (Bellah 2015, p. 44). However, Bellah also notes that civil society was an international phenomenon that spread from its Anglo-American roots across Europe and, in terms of a global civil society, points to the United Nations Declaration of Human Rights as being a "global ethic", a universal set of values, a "human rights regime" on which such a society could be based (Bellah 2015, p. 48). However, this basic argument for universalism, alongside a contention that it is not nuanced towards one religious or cultural orientation and not oriented to western values, can surely be questioned when the representative nations of one world view (Islam) that accounts for a significant proportion

of the world's population, a population that is dispersed in 'multicultural' societies, felt obliged to set out an alternative universal declaration because aspects of the UN version were not acceptable ([The Cairo Declaration on Human Rights in Islam \(CDHRI\) \(1990\)](#)). Signed by 54 countries (some of whom had never signed the United Nations Declaration on Human Rights of 1948) and adopted at the Nineteenth Islamic Conference in 1990, the Cairo Declaration on Human Rights in Islam sets out a world view and a framework for society that is at odds with the values claimed as universal by the UN, such as the rights and responsibilities of women as opposed to men, in the positioning of life in religious terms and in requiring that justice be based in Shari'ah Law⁵. Assuming this declaration is seen by followers across multicultural societies as representing their beliefs (and if it did not, how could they claim faith?), this raises a number of questions: whether, if even basic human rights claimed as universal are only universal through a westernised lens, this places a world religion and its world view beyond the boundaries of tolerance as described by Habermas; whether any solidarity beyond mutual economic self-interest and the practicalities of living adjacent to each other can be claimed between communities, both religious and secular; and, central to this paper, whether any equality in communication, or even meaningful participation in society, can be claimed through a translation proviso (and the requirements it places on religious communities) that clearly is incompatible with proclaimed solidarity even with regard to basic human rights.

6. Conclusions

It is important to reiterate the invaluable contributions made by Jürgen Habermas over a long and highly prestigious career, contributions that have evolved, developed and even changed over time as societies and perceptions of them have also changed. The work of Habermas has included a worthy attempt to reconcile religious and secular communities, to envisage a global society where normative values can be upheld and where equality in participation and mutual tolerance and solidarity can be created and maintained, despite the practical evidence that seems to contradict this. But in this endeavour, in seeking to show that religious communication can be translated into secularly acceptable language, Habermas seems only to be able to propose prescriptive ideas, those that religious communities must adopt if they are to have societal equality with those that are secular. By doing this, and with an unfounded belief in the secular influence of enlightenment, it can be argued that he is in contradiction of his own writings—a prescribed global society that has specific rules of engagement can be interpreted as being an authoritarian 'big idea'—an expression of modernist (as opposed to postmodernist) beliefs and the antithesis of postmetaphysics in the way that he (Habermas) defines the term. It (the translation proviso) flies, furthermore, in the face of what is a world of nation states, of economic self-interests and of religious and cultural entrenchment. If it is a vision for a future utopia it is, based on existing realities and current paths, a very distant one.

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⁵ Unlike the UDHR, the CDHRI is assertive towards Islam, for example Article 1: "All human beings form one family whose members are united by their subordination to Allah and descent from Adam." Although the CDHRI asserts common human rights across a range of areas, such as human sanctity, nurture, education, a clean environment, security, etc., some rights differ between genders. For example, "Every man shall have the right, within the framework of the Shari'ah, to free movement and to select his place of residence whether within or outside his country" (Article 12) and to have responsibility "for the maintenance and welfare of the family" (Article 6), while "Woman is equal to man in human dignity, and has her own rights to enjoy as well as duties to perform" (Article 6). The hegemony of Islamic Law over others is laid out in Article 25: "The Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration" (CDHRI).

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