Moral Consciousness and Communicative Action

JÜRGEN HABERMAS

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Contents

Introduction

Thomas McCarthy

In his approach to moral theory Habermas is closest to the Kantian tradition.[1] Like Kant, he distinguishes the types of practical reasoning and corresponding types of "ought" proper to questions about what is practically expedient, ethically prudent, and morally right.[2] Calculations of rational choice generate recommendations relevant to the pursuit of contingent purposes in the light of given preferences. When serious questions of value arise, deliberation on who one is, and who one wants to be, yields ethical advice concerning the good life. If questions of justice are involved, fair and impartial consideration of conflicting interests results in judgments concerning what is right or just. And like Kant, Habermas regards questions of the last type, rather than specifically ethical matters, to be the proper domain of moral theory. This is not to say that ethical deliberation is irrational or exhibits no general structures of its own.[3] But it is to say that the disappearance of value-imbued cosmologies and the disintegration of sacred canopies have opened the question "How should I (or one, or we) live?" to the irreducible pluralism of modern life. To suppose that all of the questions of the good life dealt with under the rubric of classical ethics—questions of happiness and virtue, character and ethos, community and tradition—could be answered once and for all, and by philosophers, is no longer plausible. Matters of individual or group self-understanding and self-realization, rooted as they are in particular life histories and traditions, do not admit of general theory; and pru-

dential deliberation on the good life, moving as it does within the horizons of particular lifeworlds and forms of life, does not yield universal prescriptions. In fact, without its metaphysical underpinnings, phronesis can be difficult to distinguish from the commonsense of a given way of life—with its built-in bias for the way things are and distrust of individuals who morally criticize the accepted way of doing things.[4]

If taking modern pluralism seriously means giving up the idea that philosophy can single out a privileged way of life, or provide an answer to the question "How should I (we) live?" that is valid for everyone, it does not, in Habermas's view, preclude a general theory of a much narrower sort, namely a theory of justice. The aim of the latter is to reconstruct the moral point of view as the perspective from which competing normative claims can be fairly and impartially adjudicated. Like Kant, Habermas understands this type of practical reasoning as universal in import: it is geared to what everyone could rationally will to be a norm binding on everyone alike. His "discourse ethics," however, replaces Kant's categorical imperative with a procedure of moral argumentation: normative justification is tied to reasoned agreement among those subject to the norm in question.[5] The central principle is that for a norm to be valid, its consequences for the satisfaction of everyone's interests must be acceptable to all as participants in a practical discourse. This shifts the frame of reference from Kant's solitary, reflecting moral consciousness to the community of moral subjects in dialogue. Whether a norm is justifiable cannot be determined monologically, but only through discursively testing its claim to fairness. Unlike Rawls's original position, however, practical discourse does not feature rational egoists prudently contracting behind a veil of ignorance[6]—a procedure that can itself be carried out monologically—but moral agents trying to put themselves in each other's shoes. While models of ideal role-taking do, then, capture an aspect of Kant's fundamental intuition usually neglected in contract models, they tend to be insufficiently cognitive. Habermas's discourse model, by requiring that perspective-taking be general and reciprocal, builds the moment of empathy *into* the procedure of coming to a reasoned agreement: each must put him-

or herself into the place of everyone else in discussing whether a proposed norm is fair to all. And this must be done publicly; arguments played out in the individual consciousness or in the theoretician's mind are no substitute for real discourse.[7]

While these remarks may serve roughly to locate Habermas on the map of contemporary moral philosophy, they do not reflect the breadth of the project outlined in this volume. Persistent misinterpretations to the contrary notwithstanding, Habermas is not trying to renew transcendental philosophy.[8] In fact, there are few moral philosophers writing today who take as seriously the relation of conceptual issues to empirical research. The form this takes in the present work is an attempt to connect discourse ethics to the theory of social action via an examination of research in the social psychology of moral and interpersonal development. Starting with Kohlberg's account of the development of moral judgment, Habermas argues that the model of natural stages is plausible up to the point of the postconventional break at which the social world loses its quasi-natural validity. From that point we are dealing with stages of reflection, which have to be assessed and ordered primarily on the basis of moral-philosophical, rather than empirical-psychological, considerations. Focusing then on the preconventional and conventional stages of moral judgment whose psychological "reality" is supported by the available evidence, Habermas attempts to anchor them in his theory of communicative action.[9] The connecting links are provided by Selman's account of sociocognitive development in relation to stages of social perspective taking, which Habermas reformulates in terms of structures of social interaction. The point of this chain of argument is to connect structures of moral judgment to structures of social interaction in such a way that their developmental-logical features stand out more clearly.[10]

As the trajectory of argument around Rawls's notion of reflective equilibrium illustrates, the burden of proof on any moral theorist who hopes to ground a conception of justice in anything more universal than the "settled convictions" of our political cultures is enormous.[11] Because Habermas wants to do just that, the links he forges to action theory are crucial; they are meant to show that our basic moral intuitions spring

from something deeper and more universal than contingent features of our tradition. In his view, the task of moral theory is reflectively to articulate, refine, and elaborate the intuitive grasp of the normative presuppositions of social interaction that belongs to the repertoire of competent social actors in any society. The basic moral intuitions the theorist reconstructs are, as Aristotle noted, acquired in the process of socialization, but they include an "abstract core" that is more than culture-specific. Members of our species become individuals in and through being socialized into networks of reciprocal social relations, so that personal identity is from the start interwoven with relations of mutual recognition. This interdependence brings with it a reciprocal vulnerability that calls for guarantees of mutual consideration to preserve both the integrity of individuals and the web of interpersonal relations in which they form and maintain their identities. Both of these concerns—with the inviolability of the person and the welfare of the community—have been at the heart of traditional moralities.

In the Kantian tradition, respect for the integrity and dignity of the individual has been tied to the freedom of moral subjects to act upon norms they themselves accept as binding on the basis of their own insight, and concern for the common good has been linked to the impartiality of laws that can be accepted by everyone on that basis. In Habermas's discourse ethics, which bases the justification of norms on the uncoerced, rational agreement of those subject to them, equal respect for individuals is reflected in the right of each participant to respond with a "yes" or "no" to the reasons offered by way of justification. Concern for the common good is reflected in the requirement of general and reciprocal perspective taking: in seeking mutual agreement, each attempts to get beyond an egocentric viewpoint by taking into account the interests of others and giving them equal weight to his or her own.[12] It is true that *general* norms, justified from the standpoint of impartiality, will of necessity abstract from the specific circumstances of concrete cases. They are not meant to answer questions of the type "What should I do here and now?" But, Habermas argues, this does not result in the yawning gap between form and content that neo-Aristotelians rush to fill

with phronesis. For the moral point of view in the form of considerations of impartiality and fairness can guide the context-sensitive application of general norms as well. And this will require at least a partial reversal of the abstractions required in justifying them—for example, through attention to all of the relevant features of a case when determining which general norm is appropriate to it.[13]

This does not mean that Habermas ignores the neo-Aristotelian challenges to Kantian reconstructivism, the objections that have been raised against the abstraction it fosters from everything that gives content to our ethical life. These objections confront us with the choice of either returning to some version of Aristotelianism or modifying the Kantian approach so as to give them, as far as possible, their due. Discourse ethics takes the latter tack. On the one hand, in contrast to ethics of the good life, it confines itself to the limited task of reconstructing the moral point of view, leaving *all* concrete moral and ethical judgments to participants themselves.[14] On the other hand, locating the common core of morality in the normative presuppositions of communicative interaction, it develops a thoroughly intersubjectivist interpretation of the moral point of view: practical discourse as a reflective continuation of communicative interaction preserves that common core. Rather than contractual agreements among "unencumbered" individuals with arbitrarily chosen ends, it involves processes of reflective argumentation among previously socialized subjects whose needs and interests are themselves open to discussion and transformation. The egocentric perspective is treated not as primary but as derivative; autonomy is conceptualized in relation to embeddedness in shared forms of life. In this way, practical discourse presupposes and draws upon the normative structures of social interaction; it does not cut the bonds of social integration as do social contract models.

On the strength of this reconceptualization of what is involved in coming to a reasoned agreement about moral issues, communicative ethics, though Kantian in inspiration, attempts to capture at least the structural aspects of the common good. In Habermas's account, solidarity is the other side of justice, a complementary perspective to that of equal treatment. But this

is not the notion of solidarity that figures in traditionalistic models: "As a component of universalistic morality, solidarity loses its merely particular meaning, in which it is limited to the internal relationships of a collectivity ethnocentrically isolated from other groups—the character of forced willingness to sacrifice oneself for a collective system that is always present in premodern forms of solidarity . . . [where] fellowship is entwined with followership. . . . Justice conceived in postconventional terms can converge with solidarity, as its other side, only when solidarity has been transformed in the light of the idea of a general, discursive formation of will."[15]

Notes

1. In addition to the essays collected in this volume, relevant materials include "Wahrheitstheorien," in J. Habermas, *Vorstudien und Ergänzungen zur Theorie des kommunikativen Handelns* (Frankfurt, 1984), pp. 127–183; "Moral Development and Ego-Identity," in J. Habermas, *Communication and the Evolution of Society* (Boston, 1979), pp. 69–94; "Justice and Solidarity: On the Discussion Concerning Stage 6," in T. Wren, ed., *The Moral Domain* (Cambridge, Mass., 1989); "Law and Morality," in *The Tanner Lectures on Human Values*, vol. 8 (Salt Lake City and Cambridge, 1988), pp. 217–279; "Kohlberg and Neo-Aristotelianism," paper read at the Commemorative Symposium in Honor of Lawrence Kohlberg, Harvard University, spring 1988; "Individual Will-Formation in Terms of What Is Expedient, What Is Good, and What Is Just," paper read at Northwestern University, fall 1988; "Erläuterungen zur Diskursethik," unpublished manuscript.

2. See the paper "Individual Will-Formation," cited in n. 1.

3. Nor is it to say that it is any less central to practical reasoning in everyday life, which is normally concerned much more with questions of expediency and prudence than with issues of justice. Furthermore, the same action situation may be considered from more than one of these perspectives.

4. See "Kohlberg and Neo-Aristotelianism," cited in n. 1, pp. 14ff. On p. 17 Habermas writes, "Recent neo-Aristotelian approaches play quite a different role in the German and American contexts. But the conservative bias they have always had in Germany since the time of Hegel is by no means accidental."

5. In this respect, his approach is similar to that of T. M. Scanlon in "Contractualism and Utilitarianism," in A. Sen and B. Williams, eds., *Utilitarianism and Beyond* (Cambridge, 1982), pp. 103–128, but he distances himself from Scanlon's contractualist understanding of this procedure. See his remarks on this in "Justice and Solidarity," cited in n. 1.

6. Of course, Rawls's original position is intended to be a "device of [indirect] representation" and not a direct depiction of the moral reasoning of agents who have themselves adopted the moral point of view. It is precisely the latter that Habermas is after, hence his reservations regarding Rawls's approach.

7. From this standpoint, Habermas's farflung writings can be viewed as a sustained reflection on the historical, psychological, social, and cultural preconditions of institutionalizing moral-political discourse. See especially *The Structural Transformation of the Public Sphere* (Cambridge, Mass., 1989).

8. These misrepresentations often involve confusing universal claims with transcendental claims, forgetting that the latter aspire to necessity as well as universality. A glance at the natural sciences serves as a reminder that universal claims need not be based on a priori reasoning or pretend to infallibility. The shoe is actually on the other foot: on what grounds do antiuniversalists claim to know—a priori?—that there are and can be no universals of language, culture, cognition, morality, and the like? There is no obvious reason why this shouldn't be treated as an empirical-theoretical question that will have to be answered, as such questions usually are, with reference to the fate of various research programs in the human sciences. This is, at any rate, Habermas's approach.

9. The rudiments of that theory are sketched in this volume. For a fuller discussion, see J. Habermas, *The Theory of Communicative Action*, vols. 1 and 2 (Boston, 1984, 1987), especially chapters 1, 3, 5, and 6.

10. That is, Habermas wants to argue that we can and do learn to deal more adequately with moral problems, and that these learning processes can be described in genetic-structural terms.

11. See especially John Rawls, "Justice as Fairness: Political Not Metaphysical," *Philosophy and Public Affairs* 14 (1985): 223–251. To see how readily this approach lends itself to anti-Kantian interpretation, see Richard Rorty, "The Priority of Democracy to Philosophy," in M. D. Peterson and R. C. Vaughan, eds., *The Virginia Statute for Religious Freedom* (Cambridge, 1988), pp. 257–282, especially pp. 261ff.

12. Postmodernist critiques of moral universalism too often simply ignore the fact that it is precisely notions of fairness, impartiality, respect for the integrity and dignity of the individual, and the like that undergird respectful tolerance of difference by placing limits on egocentrism. Typically, such notions are simply taken for granted in anti-universalist invocations of otherness and difference—which are, it evidently goes without saying, to be respected, not obliterated.

13. For a detailed discussion of the application of general norms from a moral point of view, see Klaus Günther, *Der Sinn für Angemessenheit: Anwendungsdiskurse in Moral und Recht* (Frankfurt, 1988).

14. Thus Habermas is critical of Rawls's derivation of two substantive principles of justice from the original position.

15. "Justice and Solidarity."

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Philosophy as Stand-In and Interpreter

Master thinkers have fallen on hard times. This has been true of Hegel ever since Popper unmasked him in the forties as an enemy of the open society. It has also been intermittently true of Marx. The last to denounce Marx as a false prophet were the New Philosophers in the seventies. Today even Kant is affected by this decline. If I am correct, he is being viewed for the first time as a *maître penseur*, that is, as the magician of a false paradigm from the intellectual constraints of which we have to escape. Though among a philosophical audience there may still be a majority of scholars whose image of Kant has stayed the same, in the world outside his reputation is being eclipsed, and not for the first time, by Nietzsche.

Historically, Kantian philosophy marks the birth of a new mode of justification. Kant felt that the physics of his time and the growth of knowledge brought by it were important developments to which the philosopher had to respond. For Kant, the new science represented not some philosophically indifferent fact of life but proof of man's capacity to know. Specifically, the challenge Newtonian physics posed for philosophy was to explain how empirical knowledge is at all possible, an explanation that could not itself be empirical but had to be transcendental. What Kant calls "transcendental" is an inquiry into the a priori conditions of what makes experience possible. The specific upshot of Kant's transcendental inquiry is that those conditions are identical with the conditions of possible objects of experience. The first job for the philosopher, then, is to

analyze the concepts of objects as we "always already" intuitively use them. Transcendental analysis is a nonempirical reconstruction of the a priori achievements of the cognizing subject, achievements for which there is no alternative: No experience shall be thought possible under *different* conditions. Transcendental justification has nothing to do with deduction from first principles. Rather, the hallmark of the transcendental justification is the notion that we can prove the nonsubstitutability of certain mental operations that we always already (intuitively) perform in accordance with rules.

As a master thinker, Kant fell into disfavor because he used transcendental justification to found the new discipline of epistemology. In so doing, he redefined the task, or vocation if you like, of philosophy in a more demanding way. There are two principal reasons why the Kantian view of philosophy's vocation has a dubious ring today.

The first reason has directly to do with the foundationalism of epistemology. In championing the idea of a cognition *before* cognition, Kantian philosophy sets up a domain between itself and the sciences, arrogating authority to itself. It wants to clarify the foundations of the sciences once and for all, defining the limits of what can and cannot be experienced. This is tantamount to an act of showing the sciences their proper place. I think philosophy cannot and should not try to play the role of usher.

The second reason lies in the fact that transcendental philosophy refuses to be confined to epistemology. Above and beyond analyzing the bases of cognition, the critique of pure reason is also supposed to enable us to criticize the abuses of this cognitive faculty, which is limited to phenomena. Kant replaces the substantive concept of reason found in traditional metaphysics with a concept of reason the moments of which have undergone differentiation to the point where their unity is merely formal. He sets up practical reason, judgment, and theoretical cognition in isolation from each other, giving each a foundation unto itself, with the result that philosophy is cast in the role of the highest arbiter for all matters, including culture as a whole. Kantian philosophy differentiates what Weber was to call the "value spheres of culture" (science and

technology, law and morality, art and art criticism), while at the same time legitimating them within their respective limits. Thus Kant's philosophy poses as the highest court of appeal vis-à-vis the sciences and culture as a whole.[1]

There is a necessary link between the Kantian foundationalism in epistemology, which nets philosophy the unenviable role of usher, and the ahistoricity of the conceptual system Kant superimposes on culture, which nets philosophy the equally undesirable role of a judge parceling out separate areas of jurisdiction to science, morality, and art.

> Without the Kantian assumption that the philosopher can decide *questiones juris* concerning the rest of culture, this self-image collapses. . . . To drop the notion of the philosopher as knowing something about knowing which nobody else knows so well would be to drop the notion that his voice always has an overriding claim on the attention of the other participants in the conversation. It would also be to drop the notion that there is something called "philosophical method" or "philosophical technique" or "the philosophical point of view" which enables the professional philosopher, *ex officio*, to have interesting views about, say, the respectability of psychoanalysis, the legitimacy of certain dubious laws, the resolution of moral dilemmas, the soundness of schools of historiography or literary criticism, and the like.[2]

Richard Rorty's impressive critique of philosophy assembles compelling metaphilosophical arguments in support of the view that the roles Kant the master thinker had envisaged for philosophy, namely those of usher and judge, are too big for it. While I find myself in agreement with much of what Rorty says, I have trouble accepting his conclusion, which is that if philosophy forswears these two roles, it must also surrender the function of being the "guardian of rationality." If I understand Rorty, he is saying that the new modesty of philosophy involves the abandonment of any claim to reason—the very claim that has marked philosophical thought since its inception. Rorty not only argues for the demise of philosophy; he also unflinchingly accepts the end of the belief that ideas like truth or the unconditional with their transcending power are a necessary condition of humane forms of collective life.

Implied by Kant's conception of formal, differentiated reason is a theory of modernity. Modernity is characterized by a

rejection of the substantive rationality typical of religious and metaphysical worldviews and by a belief in procedural rationality and its ability to give credence to our views in the three areas of objective knowledge, moral-practical insight, and aesthetic judgment. What I am asking myself is this: Is it true that this (or a similar) concept of modernity becomes untenable when you dismiss the claims of a foundationalist theory of knowledge?

What follows is an attempt to narrate a story that might help put Rorty's criticism of philosophy in perspective. Granted, by going this route I cannot settle the controversy. What I can do is throw light on some of its presuppositions. At the outset (section 1 below) I will look at Hegel's critique of Kantian foundationalism and the substitution of a dialectical mode of justification for Kant's transcendental one. Next (section 2) I will retrace some of the lines of criticism and self-criticism that have emerged in the Kantian and Hegelian traditions. In section 3 I will dwell on a more radical form of criticism originating in pragmatist and hermeneuticist quarters, a form of attack that repudiates Kant and Hegel simultaneously. Section 4 deals with thinkers, respectable ones no less, who respond to this situation by annulling philosophy's long-standing claim to reason. In conclusion (section 5) I will argue that philosophy, while well advised to withdraw from the problematic roles of usher (*Platzanweiser*) and judge, can and ought to retain its claim to reason, provided it is content to play the more modest roles of stand-in (*Platzhalter*) and interpreter.

1

Hegel fashioned his dialectical mode of justification in deliberate opposition to the transcendental one of Kant. Hegel—and I can only hint at this here—agrees with those who charge that in the end Kant failed to justify or ground the pure concepts of the understanding, for he merely culled them from the table of forms of judgment, unaware of their historical specificity. Thus he failed, in Hegel's eyes, to prove that the a priori conditions of what makes experience possible are truly necessary. In his *Phenomenology of Spirit* Hegel proposes to cor-

rect this flaw by taking a genetic approach. What Kant regarded as a unique (Copernican) turn to transcendental reflection becomes in Hegel a general mechanism for turning consciousness back upon itself. This mechanism has been switched on and off time and time again in the development of spirit. As the subject becomes conscious of itself, it destroys one form of consciousness after another. This process epitomizes the subjective experience that what initially appears to the subject as a being in itself can become content only in the forms imparted to it by the subject. The transcendental philosopher's experience is thus, according to Hegel, reenacted naively whenever an in-itself becomes a for-the-subject. What Hegel calls "dialectical" is the reconstruction of this recurrent experience and of its assimilation by the subject, which gives rise to ever more complex structures. Hegel goes beyond the particular manifestation of consciousness that Kant analyzed, attaining in the end knowledge that has become autonomous, that is, absolute knowledge. This highest vantage point enables Hegel, the phenomenologist, to witness the genesis of structures of consciousness that Kant had assumed to be timeless.

Hegel, it should be noted, exposes himself to a criticism similar to the one he levels against Kant. Reconstructing successive forms of consciousness is one thing. Proving the necessity of their succession is quite another. Hegel is not unaware of this gap, and he tries to close it by logical means, thereby laying the basis for a philosophical absolutism that claims an even grander role for philosophy than did Kant. In Hegel's *Logic* philosophy's role is to effect an encyclopedic conceptual synthesis of the diffuse chunks of content thrown up by the sciences. In addition, Hegel picks up Kant's latent theory of modernity, making it explicit and developing it into a critique of the diremptive, self-contradictory features of modernity. It is this peculiar twist that gave philosophy a new world-historical relevance in relation to culture as a whole. And this is the stuff of which the suspect image of Hegel as a master thinker is made.[3]

The metaphilosophical attack on the *maîtres penseurs*, whether its target be Hegel's absolutism or Kant's foundationalism, is a recent phenomenon. Antecedents of it can be found in the

strands of self-criticism that have run through Kantianism and Hegelianism for quite some time. I shall comment briefly on two lines of self-criticism that I think complement each other in an interesting way.

2

In reference to Kant's transcendental philosophy there are today three distinct critical positions: the analytic one of Strawson, the constructivist one of Lorenzen, and the critical-rationalist one of Popper.

Analytic philosophy appropriates Kant by jettisoning any claim to ultimate justification (*Letztbegründung*). From the very outset it drops the objective Kant had in mind when he deduced the pure concepts of the understanding from the unity of self-consciousness. The analytic reception of Kant is confined to comprehending those concepts and rules that underlie experience insofar as it can be couched in elementary propositions. The analysis focuses on general, indispensable, conceptual preconditions that make experience possible. Unable to prove the objective validity of its basic concepts and presuppositions, this analysis nevertheless makes a universalistic claim. Redeeming it involves changing Kant's transcendental strategy of justification into a testing procedure. If the hypothetically reconstructed conceptual system underlying experience as such is valid, not a single intelligible alternative to it can possibly exist. This means any alternative proposal will be scrutinized with a view to proving its derivative character, that is, with a view to showing that the alleged alternative inevitably utilizes portions of the very hypothesis it seeks to supplant. A strategy of argumentation like this tries to prove that the concepts and presuppositions it singles out as fundamental cannot be dispensed with. Turned modest, the transcendental philosopher of the analytic variety takes on the role of the skeptic who keeps trying to find counterexamples that might invalidate his theories.[4] In short, he acts like a hypothesis-testing scientist.

The *constructivist position* tried to compensate for the justificatory shortfall that has now opened up from the perspective of transcendental philosophy in the following way. It concedes

from the start that the basic conceptual organization of experience is conventional while at the same time putting a constructivist critique of language in the service of epistemology.[5] Those conventions are considered valid that are generated methodically and therefore transparently. It should be clear that this approach lays, rather than uncovers, the foundations of cognition.

On the face of it, the *critical-rationalist position* breaks completely with transcendentalism. It holds that the three horns of the "Münchhausen trilemma"—logical circularity, infinite regress, and recourse to absolute certitude—can only be avoided if one gives up any hope of grounding or justifying whatsoever.[6] Here the notion of justification is being dislodged in favor of the concept of critical testing, which becomes the critical rationalist's equivalent for justification. In this connection I would argue that criticism is itself a procedure whose employment is never presuppositionless. That is why I think that critical rationalism, by clinging to the idea of irrefutable rules of criticism, allows a weak version of the Kantian justificatory mode to sneak into its inner precincts through the back door.[7]

Self-criticism in the Hegelian tradition has developed along lines parallel to the self-criticism among Kantians. Again, three distinct positions might be said to be represented by the young Lukács and his materialist critique of epistemology, which restricts the claim to justification of dialectics to the man-made world and excludes nature; by K. Korsch's and H. Freyer's practicism, wherein the classical relation of theory and practice is stood on its head and the "interested" perspective of creating a society of the future informs the theoretical reconstruction of social development; and finally by the negativism of Adorno, who finds in comprehensive logic of development only the proof that it is impossible to break the spell of an instrumental reason gone mad.

I cannot examine these positions here. All I shall do is to point out certain interesting parallels between the Hegelian and Kantian strands of self-criticism. The self-criticism that begins by doubting the Kantian transcendental deduction and