

JURGEN HABERMAS' DISCOURSE ETHICS: A CRITICAL EXAMINATION OF ITS APPLICABILITY TO NIGERIA'S SOCIO-POLITICAL LANDSCAPE

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Abstract

Humans and society as a whole have always had an interest in living and acting morally. This necessity serves as the foundation for the study of ethics. Against this backdrop, Jurgen Habermas presented his concept of discourse ethics—a procedural and reconstructive ethics—based on the ideas of universalization (U) and discourse (D). Discourse ethics aims to arrive at moral truth through argumentation and interlocutory procedure as opposed to monologue. Establishing a process based on presumptions and intended to ensure the impartiality of the judgment process is discourse ethics. Conversely, "practical discourse is a procedure for producing justified norms, not for testing the validity of hypothetical norms." Discourse ethics differs from Rawls's theory of justice as well as from other cognitivist, universalist, and formalist ethical theories because of its proceduralism. This study examines Habermas' discourse ethics using the critical analytical approach of philosophy to assess its validity, plausibility, and applicability to Nigerian society. The study makes the case that Habermas' discourse ethics are valid, sound, and applicable to the deeply rooted ethnoreligious challenges that the Nigerian state is currently facing.

Keywords: Universalization, Proceduralism, Formalism, Cognitivism, Deontology, Discourse, Ethics, Nigeria, Religion, Ethnicity.

Introduction

Over time, scholars have disagreed about how to justify what a universal moral norm should be. Relativists contend that moral norms are based on culture, while skeptics deny the possibility of any universal moral norm at all. In contrast, Kant developed what he called a universal means of justifying and making a moral norm in his moral philosophy, which he calls the categorical imperative. This maxim says that one should act in a way that simultaneously wills the maxim to become a universal law (Bordum, 2002, p. 8). Jurgen Habermas developed the theory of discourse ethics in opposition to these divergent viewpoints in attempt to reconcile them and to support the deontological, formalistic, universalistic, and cognitivist ethical theories of the current day. Furthermore, in our day and age, people no longer feel the strong binding power that both communal standards and metaphysical moral principles formerly held over them. As a result, individuals no longer feel connected to any authority that upholds moral expression. In light of this, discourse ethics offers a framework in which the rights and dignity of all people are upheld. Discourse ethics is, in actuality, people-focused.

The universalization principle and the discourse principle are the two fundamental tenets of discourse ethics. According to Habermas (1990), the universalization principle asserts that "a norm is valid only if all affected can accept the consequences and the side-effects its general observance can be anticipated to have for the satisfaction of everyone's interests (and these consequences are preferred to those of known alternative possibilities)" (Habermas, 1990, P.197). But according to Habermas (1990), "only those norms can claim to be valid that meet (or could meet) with the approval of all affected in a practical discourse" (p. 65) is the essence of the discourse principle. Discourse ethics' two guiding principles serve as its cornerstone, and it is on the basis of these that its applicability to Nigerian society will be determined.

Discourse Ethics in Jurgen Habermas

Discourse ethics is a reconstructive and procedural ethics that is grounded on the ideas of discourse (D) and universalization (U). Its goal is to arrive at moral truth via dialogue and argumentation rather than monologue. However, as Habermas' work is a reconstruction of Kant's moral philosophy, he felt it important to first examine briefly the general nature and idea of Kantian moral philosophy as an introduction to discourse ethics. Here, Habermas thoroughly described four essential elements of Kantian

moral philosophy, which are articulated as follows: It is universalistic, formalistic, cognitivist, and deontological. Additionally, Habermas asserts that Kant adopted a limited definition of morality in order to uphold his moral philosophy within the context of justified normative judgments. Furthermore, he asserts that classical moral philosophies had addressed every topic related to a good life in great detail. As an example, Aristotle's theory regarding a virtuous life suggests that moral virtues are mean somewhere in the middle of two extremes; that is, the correct moral virtue stands in the best possible balance between these two extremes. "For example, generosity, is a mean (that is, in the midway) between miserliness (an extreme) and extravagance (another extreme)"(Omeregbe, 2012, PP.164–165). One needs to locate the best possible balance between the two extremes of miserliness and extravagance.

Kant's moral philosophy is strictly concerned with the problems of right and just action and "what makes actions right is their being in accordance with the law of reason"(Aristotle, 2004, p.xvii). According to Kant's moral philosophy, moral judgments serve as the fundamental instruments for explaining how conflicts of action may be settled via consensus that is driven by reason. Broadly speaking, moral judgements serve to both validate normative acts and establish the legitimacy of rules about principles that meet the necessary criteria for recognition. In conclusion, moral philosophy must provide an explanation for the normative validity of directives and standards of behavior. This is essentially what is meant when moral theory is said to be deontological. To put it another way, Olson (1967) defines deontological ethics as an approach to ethics that emphasizes the rightness or wrongness of actions themselves rather than the consequences of those actions(P. 343).

In light of this, Habermas emphasizes that intuitionism and value ethics make the mistake of confusing the moral veracity of normative assertions with the assertional validity of propositions. In light of this, he maintained that Kant did not make this mistake. In other words, Kant did confuse theoretical and practical reason. Additionally, normative rightness should be understood as a validity claim that is akin to a truth claim. This idea is succinctly and correctly explained in the concept of cognitivist ethics. A cognitivist ethics is intended to address the question of how to justify normative statements; however, Kant chose the grammatical form of an imperative that functions as a principle of justification that distinguishes between norms that are valid and those that are invalid in terms of universalizability. Habermas maintains that discourse ethics has replaced Kant's categorical imperative through a process of moral argumentation. As a result, in "(D) Only those norms can claim to be valid that meet (or could meet) with the approval of all affected in a practical discourse" (Habermas 1990, p. 6). Noteworthy here is the fact that Kant's categorical imperative is highly monological; by implication, the individual converses in his mind and thinks for every other person what should be the moral norm, raising many questions about the validity of such a norm. On the other hand, discourse ethics offers the inclusive and universalizing principles of universalization and discourse, which assist individuals or communities with similar interests in determining what the legitimate norm that best serves everyone's interests is. It is on this note that discourse ethics replaces the categorical imperative. Moreover, the abstract nature of Kant's categorical imperative warrants discussion. It is only a reasoned discussion between that person and themselves, devoid of any access to any real-world methods to support the moral standard that person is thinking about. Discourse ethics, on the other hand, includes the practical aspect of arguing amongst speakers who share thoughts and viewpoints about what constitutes a moral standard.

Even though Habermas substitutes his discourse principle for Kant's categorical imperative, he nonetheless acknowledges the categorical imperative's influence on his work. According to Habermas, the categorical imperative—basically, the universalization principle—retains some form in speech ethics. "A norm is valid only if all affected can accept the consequences and the side-effects its general observance can be anticipated to have for the satisfaction for everyone's interests (and these consequences are preferred over those of known alternative possibilities)" is the formal statement of the universalization (U) principle (Habermas, 1990, p. 65). In everyday speech, this principle applies the argumentation rule.

Finally, an ethics is considered universalistic if it maintains that a moral principle is true beyond time and space, rather than only reflecting the sensibilities of a particular era or society. We must take great care to ensure that our moral principles are not only the product of the prejudices held by mature, white, well-educated western men in the modern day.

"A procedure for testing the validity of hypothetical norms, not for producing justified norms" is how Habermas describes the problem of practical discourse (Habermas, 1990, P. 122). Thus, unlike Rawls' theory of justice, which aims to make the orientation of a person making a moral judgment unbiased, Habermas' discourse ethics ensures that the process of making judgments is carried out impartially. The universalist principle, according to Habermas' discourse ethics principle, can only be understood as reflecting the normative content of a method, not the normative content of the argument, in contrast to Rawls' (and Kant's) theory. In fact, Habermas explicitly states that there is not the slightest moral substance to his theory.

In summary, another way to conceptualize practical conversation is as a communication process that simultaneously persuades each participant to assume the ideal position. Thus, what Mead views as a privately performed, individually based role-taking is transformed into a public matter through practical speech, which is engaged in intersubjectively by all parties concerned (Emma Engdahl, 2005, 15). It is now appropriate to acknowledge that the concept of intersubjectivity is one unique way to improve understanding. Put differently, it is referred to as discourse. It provides people with the chance to express themselves without fear of repercussion, which acknowledges the unique importance of human dignity and allows people to truly express themselves as caring beings. How therefore do discourse ethics conceptualize moral intuitions?

The Moral Intuitions that Discourse Ethics Conceptualizes

The first question Habermas raised in his response was, "How can it be argued that the procedural explanation that discourse ethics provides of the moral point of view—that is, of the impartiality of moral judgment—constitutes an adequate account of moral intuitions, which are after all substantive in kind?" (1990, P. 199). This was an attempt to address the problem of moral intuitions that discourse ethics conceptualizes. Moral intuitions are defined as "moral judgments, assessments, or responses to behavior in real or imagined scenarios; these responses usually happen fast or instinctively and are associated with a strong sense of appropriateness or authority, but one need not be (and often is not) aware of any conscious reasoning process that leads to this assessment" (Woodward and Allman, 2007, p. 180).

These intuitions suggest to rational humans on how to act appropriately when they have the opportunity to reflect, think things through, and take steps to lessen the severe vulnerability of others. According to anthropology, morality is a notion that is ingrained in the sociocultural structure of human existence. According to Habermas (1990), "This explains the most constitutional insecurity that is antecedent to cruder threats to the integrity of life and limb" (P. 199). In light of this, that there is a discovery by moral philosophies of sympathy and compassion that the insecurity or vulnerability calls for a mutual consideration. This considerateness has two aims of protecting an individual's integrity and the preservation that allows for mutual recognition through which people reciprocally sustain their weak identities. This is due to the fact that no one can maintain or stabilize their identity on their own without the assistance of another. Taking for instance, the topic of suicide was considered by the stoics as a perilous self-determination of a lone individual. However, the act of suicide has a duty which cannot be ascribed to only the individual who did it but to the community which he inhabits.

Basic Characteristics of Discourse Ethics

The cornerstone of discourse ethics is composed of four underlying assumptions that may be drawn from the moral principle: "In order for a norm to be considered legitimate, all those impacted by it must be able

to freely accept the consequences and side effects that its general observance can be expected to have for the satisfaction of their individual interests" (Habermas, 1983, p. 120). The following presuppositions of reasoning are shared by all moral systems that are similar to Kant: deontological, formalist, cognitivist, and universalist.

Cognitivism: The universalization principle is an argumentative guideline that helps us reach an agreement on generalizable maxims. Furthermore, the rationale behind (U) demonstrates that moral-practical dilemmas may be settled via reasoning. Moral judgments are cognitive in another way. Moral judgments are all-encompassing, which means that they involve reason in addition to contingent feelings, preferences, and decisions made by the speaker. In light of this, Habermas provides specifics on how moral judgment might be supported or validated in his discourse on ethics, challenging and refuting ethical skepticism. Prior to delving into further detail, ethical skepticism, also known as moral skepticism, is the belief that no one can truly know the moral status of anything or how moral truths fit into the physical universe (<https://www.plato.stanford.edu/entries/skepticism-moral/> 2002). Habermas counters this argument by pointing out that any developmental theories that are capable of moral judgment must assume or acknowledge the possibility of making distinctions between moral judgments that are good and incorrect in advance.

Universalism: This is consistent with the universalization principle, which states that every individual engaged in any type of reasoning should be able to reach the same conclusions regarding the acceptability of action rules. The main tenets of ethical relativism, "which holds that the validity of moral judgments is measured solely by the standards of rationality or value proper to a specific culture or form of life"(Habermas, 1983, p.121) are refuted by Habermas' discourse ethics in support of or defense of (U). Since moral judgments cannot claim universal validity, any theory of moral evolution that attempts to show a general route development would fail miserably from the start.

Formalism: (U) serves as a filter to exclude specific value orientations with no substance that may be applied broadly. Regarding the judging aspects of the good life, it still has fairness concerns. These are the justice-related disputes that may be resolved by reasoned discussion. When defending (U), discourse ethics contradicts the fundamental tenets of material ethics. But Kant's ethics is a paradigmatic embodiment of an ethical formalism, but "material ethics represents a radical departure from the ethical formalism of which Kant's ethics is a paradigm expression. Whereas the ethical formalism explicates the formal elements of moral experience, the material ethics addresses itself to the material contents of that experience"(Dhar, 2011, pp.12-13). Discourse ethics defines the field of the normative validity of action norms, which allows it to differentiate between the domain of moral validity and the domain of cultural value contents. "One cannot separate those questions amenable to rational decision-making from the mass of practical issues unless one operates with a strictly deontological notion of normative rightness or justice such as this" (Habermas, 1983, p. 121).

Discourse ethics establishes a method predicated on assumptions and intended to ensure the impartiality of the judgment process, but it does not produce meaningful orientations. Conversely, "practical discourse is a procedure for testing the validity of hypothetical norms, not for producing justified norms. It is this proceduralism that sets discourse ethics apart from other cognitivist, universalist, and formalist ethical theories, and thus from Rawls's theory of justice as well"(Habermas, 1983, p.122).

Deontology: Deontological ethics compares the veracity of an assertoric assertion to the legitimacy of rules and demands. Discourse ethics is deontological in the sense that it provides standards for moral judgments based on a rational knowledge. Accordingly, deeds are viewed as essentially good or wicked, regardless of their effects (Olson, Robert, 1967, P. 343).

Justification of Discourse Ethics

In defense of the universality of discourse ethics, Habermas begins by saying this: “anyone who seriously undertakes to participate in argumentation, by that very undertaking, implicitly accepts general pragmatic presuppositions which have a normative content. The moral principle can then be derived from the content of these presuppositions of argumentation, provided one knows at least what it means to justify a norm of action” (Habermas, 1983, p.41). Because Habermas believes that doing the correct thing in a given circumstance cannot be determined by a single act of justification or within the bounds of argumentation, he provided for a two-stage argumentation technique that consists of justification and the application of norms. Gunther holds clearly that moral rules claim to have validity for abstract existential things and for a pattern of taking decisions on practical issues; however, the meaning of this validity can be explained in two perspectives: In terms of the rationally motivated assent of all potentially affected that a valid norm earns, and with regard to all possible situations to which the norm can command assent in this manner can be applied. Gunther then proceeded with this defense by borrowing Gunther's arguments against Wellmer regarding how appropriate the provision of discourse ethics could be applied to specific situations which an agent is expected to act.

Therefore, "does he consider its observance in all situations in which the norm is applicable as appropriate, or does he not recognize a man as valid for each participant in discourse?" Habermas (2001), page 36. As such, the concept of impartiality as articulated in the moral perspective necessitates that everyone consider how a norm is rationally received by those who may be impacted in relation to all application scenarios that are appropriate for it, in addition to providing a clear interpretation of the validity claim of moral judgments.

Moreover, Gunther develops this duality of defense of the moral norm's validity as follows: "A norm is valid and appropriate whenever its general observance's consequences and side-effects for each individual's interests in each particular situation can be accepted by all" (Gunther, 1988, p. 23). In light of this, those who argue effectively could use this formula if they had unlimited time at their disposal or had access to complete knowledge that would enable them to make accurate predictions in every scenario that may arise. It is nonetheless true that the universalization principle, which functions as the foundation of practical reasoning, needs to have both a logical and an operational meaning for limited topics or people who make decisions in specific contexts. Lastly, the principle of appropriateness fills the function of the principle of universalization in justificatory discourses in discourses of application. At this point, the study focuses on the issues of religion and ethnicity in Nigeria to demonstrate how Habermas' discourse ethics still apply there.

The Effects of Religion and Ethnicity in Nigeria

Nigeria is a country with over 400 distinct ethnic groups, which when combined with a large number of religious institutions, make it a fairly sophisticated state. Based on this, one can best estimate the rich cultural diversity, ideologies, mentality, language, and other significant cultural values that Nigeria is endowed with. However, despite this abundance of natural and human resources, Nigeria is still largely underdeveloped, and some scholars have argued that extreme religious and ethnic consciousness among Nigerians is partially to blame for the country's underdevelopment.

Unquestionably, ethnic and religious differences account for the majority of hostilities in Nigeria. Kizito and Areji claim that the rise of ethno-religious conflicts in Nigeria over time has had a crippling impact on the country's social, political, and economic aspects of life. The stability, sustainable development, and human development of Nigeria are adversely affected by them (2022, p. 20). Other academics have attributed the current state of things in Nigeria to the British Empire's 1914 creation of an unholy union of these disparate ethnic and religious groupings under the name Nigeria (Ogu, Areji, 2022, p. 19). But the emphasis on this culpability has been overdone. It's past time for Nigerians to accept accountability for their country's underdevelopment.

For example, in Nigeria, votes are cast based on ethnicity and religion rather than ability, morality, or honesty. This is due to their belief that, should their tribe's leader succeed, they would be overwhelmingly favored; nevertheless, should another tribe emerge victorious, they would suffer the consequences. This was typical during the Nigerian elections of 2023. Hence, Nigerian democracy has become what Schumpeter describes as "the institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote" (Schumpeter, 1942, 260). Because of this, politicians resort to all kinds of shenanigans, ethnic and religious politics, vote buying, and violence in order to win elections. This is because winning office is perceived as a means of obtaining the national cake rather than of serving the interests of the people who voted for them (Eze et al., 2023, P.134).

Discourse ethics can play a role in the Nigerian situation given that the country's political system and institutions have been undermined by this ethnic and religious mentality, which has allowed for poor governance and underdevelopment. The effects of this are evident in all areas of the Nigerian system. For example, it is clear to all that corruption and kickbacks have led to the collapse of the country's judicial system; the executive arm of government is beset by internal problems; the legislative branch is stacked with individuals who would have made better wrestlers than honorable legislators; as a result, everything is nearly in disarray.

Discourse Ethics as a Panacea to Nigerian Problems

When its basic principles are correctly applied to the problems in Nigeria, discourse ethics, as a procedural reconstructive science, can be a remedy for those problems. Let's start with the two essential ideas that underpin discourse ethics. Discourse ethics may be distinguished from all other ethical theories, including Kantian ethics, by these fundamental ideas. Among these guidelines are: 1. The Universalization Principle: It contends that for a norm to be deemed legitimate, everyone must willingly embrace it and that the outcomes and side effects of adhering to the standard must be in a way that can fulfill each person's unique interests. 2. The conversation Principle states that "(D) only those norms can claim to be valid that meets (or could meet) with the approval of all affected in a practical discourse" (Habermas, 1990, p. 65). Let's also examine how these ideas may be used to create a public conversation that will help find solutions to Nigeria's problems.

Public Discourse

Discourse ethics, based on concepts of (U) and (D), emphasize the importance of intersubjective, practical, and free-from-interference communication in resolving conflicts. Put differently, discourse refers to this type of communication that allows people with specific interests to settle their conflicts in a way that is intersubjective, practical, and free from outside interference. Based on this, the subsequent suppositions would be examined: 1. Inclusivity in Nigeria requires everyone to participate in conversations, regardless of their ability to speak. However, some ethnic groups have greater privileges, such as labor division, funding allocation, and government establishment. It is crucial for all ethnic and religious groups to participate equally in sharing resources to promote peaceful coexistence. In conversations, equal participation is essential, and if everyone cannot attend, they can serve as representatives and publish proposals for public complaints and critiques. 2. Equality and Openness: The principles of (U) and (D) in discourse ethics ensure that everyone has the right to participate in debates without fear of suppression. This means that everyone should be honest and transparent, allowing them to challenge assertions, raise new issues, and share their thoughts. Although Habermas did not mention the need for a third party to mediate between warring parties or ethnic groups, it is essential to ensure that all participants follow discourse norms. Discourse ethics is particularly relevant in Nigeria, where ethnocentrism and excessive religiosity have led to crises, murders, and injustices. Implementing discourse and universalization

principles can help resolve these issues by encouraging open dialogue and contrasting Nigerian issues with the four main discourse ethics features.

Universalism and Nigerian Problem

This is consistent with the universalization principle, which states that every individual engaged in any kind of reasoning should be able to reach the same conclusions regarding the acceptability of standards of behavior. Nigeria's diverse society was not decided upon by the several ethnic groups that were taken into consideration. Given this, discourse ethics' Universalist component must come into play in this situation. A moral principle is legitimate since it transcends or goes beyond every culture or era, one must remember this. For example, in Nigeria, regional government would immediately become a commonly accepted and legitimate standard of conduct if many ethnic groups adopt it in a discourse. This political system would serve as a globally recognized framework that permits each area to exercise self-governance while remaining subservient to the national authority, therefore mitigating the negative effects of injustice in Nigeria. Thus, it is evident from the universalist aspect of discourse ethics that all ethnic groups would preserve their uniqueness while making a concerted effort to arrive at a single universally acknowledged standard.

Cognitivism and Nigerian Problem

As a guideline for reasoning, the universalization principle helps parties reach an agreement on generalizable maxims. Furthermore, the rationale behind (U) demonstrates that moral-practical dilemmas may be settled via reasoning. Moral judgments are cognitive in another way. Moral judgments are all-encompassing, which means that they involve reason in addition to contingent feelings, preferences, and decisions made by the speaker. Any recognized strategy for lessening injustice in Nigeria in the hopes of promoting the peaceful coexistence of Nigerians must now be chosen cognitively or on the basis of justifiable arguments that rest on the ideas of universalism and discourse. This will help for understanding and consensus among the different ethnic and religious groups.

Deontology and Nigerian Problem

Deontological ethics compares the truth of an assertoric assertion to the rightness of norms and directives (Olson, Robert, 1967, P. 343). Discourse ethics is deontological in the sense that it provides standards for moral judgments based on a rational knowledge. In light of this, deeds are viewed as essentially good or wicked regardless of their effects. A consensus-building agreement between the many parties—in this case, the various ethnic groups and religions—is necessary for a conversation to function well. When this occurs, it is imperative that all participants make verifiable, true declarations and assertions in order to fulfill the discourse's intended goal. Thus, the commonly recognized standard or principle would be validated as true or untrue, right or incorrect, depending on this.

Formalism and Nigerian Problem

Formalism (U) serves as a rule of elimination for certain value orientations that are pervasive in certain biographies or ways of living but lack generalizable substance. Regarding the judging aspects of the good life, it still has fairness concerns. These are the justice-related disputes that may be resolved by reasoned discussion. When defending (U), discourse ethics contradicts the fundamental tenets of material ethics. On the other hand, "material ethics represents a radical departure from the ethical formalism of which Kant's ethics is a paradigm expression" (Dhar, 2011, p.12).

Therefore, implementing the formalistic aspect of discourse ethics to the Nigerian issue will significantly reduce ethno-religious conflict. There are a number of topics that Nigerians highlight that are among the main causes of the country's divide. These elements should be disregarded as they are wholly non-generalizable. These include: declaring one's state of origin on forms for employment, passports, and admission; making statements that could incite violence or cause a rift in society; discouraging people from running for office in any part of the nation; and repealing any provisions of the constitution that undermine Nigeria's unity.

In 2014, Nigeria held a national conference to address issues and address agitations for a breakup of the country. However, the conference was criticized for lack of authenticity and the presence of influences from different ethnic groups. To ensure accurate communication, discourse ethics principles should be applied in future conferences. There is a need for fora at the state and community level to adhere to discourse ethics principles, including universalism, formalism, cognitivism, and deontology. Habermas' four presuppositions for argument should not be undermined. Community and state-level discourses are the best place for people to express themselves and present their arguments, as most ethnic and religious crises are perpetuated at the local and community level. For instance, there have been unendless crises and killings between indigenes of some of the communities and Fulani Herdsmen in North Central like Jos and other parts of Nigeria(Uhunmwuango & Epele, p. 109). This kind of crisis can be dealt with in a public discourse which is based on the principle of (U) and (D).

Nigeria's diverse society requires a forum for effective communication to address current issues and promote understanding among different ethnic and religious groups. This forum can help individuals abide by agreed norms without force. Habermas argues that discourse ethics has practical implications, as participants in real discourses must assume that the conditions of intelligibility and the ideal speech situation are met to a sufficient degree. This forum would allow individuals to express themselves and suggest solutions to the current situation, enhancing understanding and cooperation among different groups (Habermas, 2001, p. xv). With this one can clearly see that discourse ethics is quite practicable and will go a long way to helping the different ethnic groups and religions to understand and value the other for peaceful coexistence through dialogue based on the twin principles of discourse ethics: (U) and (D).

Conclusion

Discourse ethics is crucial in Nigerian society, as it addresses crises and injustices rooted in ethnic and religious biases. Engaging Nigerians in public discourse with discourse ethics principles is essential for a better Nigeria. By applying discourse ethics, the government and institutions can bridge communication gaps among different ethnic groups, improve social structure, and address inequalities experienced by Nigerians. By focusing on individual interests, Nigeria can become a better place.

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