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The Problem of Triple Contingency in Habermas

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ABSTRACT
From a certain perspective, Habermas' theory of communicative action is a response, in extension of Mead, Schutz and Parsons, to the risk of dissension posed by double contingency. Starting from double contingency, both The Theory of Communicative Action and Between Facts and Norms are essentially an elaboration of a solution to this problem in terms of a more fully developed theory of communication than had been available to his predecessors. Given the intense concentration and the immense expenditure of energy on the working out of the co-ordinating accomplishments and structures required by the complex solution envisaged by him, it is unsurprising that Habermas overlooks the next most important problem intermittently raised by the theory of communicative action, namely the problem of "triple contingency" - i.e., the contingency that the public brings into the social process. This has far-reaching implications for Habermas' place in the sociological tradition and for the relation of the younger generation to him. Because of his continued search for a solution to a problem posed in the classical phase of sociology and his concomitant failure to develop the new problem that he himself raised in the course of so doing, he can be classified with Parsons as being a neo-classical sociologist. He nevertheless bequeaths a serious problem to contemporary sociology.

INTRODUCTION

The basic concept of double contingency gives expression to a widely recognized proposition in sociological theory. Mead and Schutz established the theorem in the first half of the twentieth century, and Parsons, building on these foundations, eventually gave it its explicit formulation. In the second half of the twentieth century, leading social theorists such as Habermas and Luhmann reinforced its status as a basic concept by adopting the concept and including discussions of it in their major works. In his latest major work published in German and English as recently as in 1992 and 1996[1] respectively, Habermas still emphatically accepts the theorem of double contingency.

What I find remarkable is that, despite his concentration on double contingency, Habermas actually operates with a theoretical position that accommodates a higher degree of contingency. Through such matters as the public sphere, the public, the structure of communication, the system of perspectives and personal pronouns, and the third point of view, he often touches and even elaborates upon this form of contingency, yet he never acknowledges it as such nor gives it a name. It is the contingency that the public brings into communicative relations and hence into the social process, or what may be called 'triple contingency'.[2] Thus while writing eloquently about double contingency as well as the public sphere, Habermas surprisingly neglects to capture and clarify the role of the public in communication societies in a comparably sharp and defined manner. I suspect that this may be due to the fact that in his proposed stereoscopic stress on reconstruction and empirical description, validity and facticity, or norms and facts, he tends not merely to give too much weight to the former member of the pair but to draw the distinction in such a way that he claims too much on behalf of moral philosophy. More specifically, he tends to interpret the third point of view too strongly in terms of the idealised moral point of view than is good for the public who embodies and carries it.

In this paper, I propose to focus on the problem of triple contingency in Habermas' recent major writings. To be able to do so in an intelligible way, I shall first give an overview of the original introduction and sense of the concept of double contingency in sociological theory. Against this background, it will then be possible to ferret out the submerged notion of triple contingency in Habermas, and to analyse the difficulties preventing him from explicitly acknowledging and developing it. In the course of the development of the argument, light will indirectly be thrown on the theoretical understanding of the role of the public in communication societies.

I DOUBLE CONTINGENCY IN CLASSICAL AND NEO-CLASSICAL SOCIOLOGY

Symbolic Interactionist Foundation: George Herbert Mead

The very core of George Herbert Mead's work is occupied by the problem of what was only well after his death in 1931 called "double contingency". This interpretation is corroborated by the editor of Mead's unpublished writings when he submits that "Mead's most profound insight consists in understanding that the significant symbol, the language symbol, consists of a gesture whose meaning is had by both the one who makes the gesture and the other to whom it is addressed. He spent most of his intellectual life unravelling the implications of this insight" (Miller 1982, pp. 10-11). This concern of his with the gap between two individuals and how it is bridged goes back to his synthesis of ideas regarding language and communication deriving from distinct intellectual traditions: the pragmatism of Charles Sanders Peirce, on the one hand, and German idealism, particularly as represented by Hegel's concern with the dialectic of the "I" and Dilthey's hermeneutics, on the other.

Since he sought to trace symbolization at the human evolutionary level, i.e., phylogenetically, and the construction of the subjective and social worlds at the level of the child becoming an adult, i.e., ontogenetically, Mead dealt with this central question in different contexts (Mead 1962, pp. 42-134, 135-226, 227-336). They ranged from the animal world or the situation of anthropogenesis to the communication situation, on the one hand, and from children's play and competitive games to mature adult communication, on the other. Whereas he paid attention on the one extreme to what he called "the conversation of gestures" (p. 46) in which signals or vocal cries are exchanged, his real interest was in "speech or communication" (p. 67) in which "the significant symbol" (pp. 45-6) or language provides the medium of contact between human individuals. Depending on the context, Mead employed two characteristic ways of trying to encapsulate the central problem of his concern. In one case, he typically referred to a gesture or symbol that calls out in the individual advancing it the same attitude towards its meaning as it calls out in the other individual participating with the first in a given social situation. This formulation of "one calling out the response in him- or herself that he or she calls out in another", which occurs time and time again in the investigation into meaning in the phylogenetic part of Mind, Self, and Society, obviously fascinated Mead. In the investigation of the formation of the subjective and social worlds, however, he employed a formulation designed to capture the same phenomenon as it presented itself in ontogenetically relevant contexts with which he was apparently even more fascinated, namely variations on the phrase "taking the attitude of the other".

The fundamental question that Mead sought to answer, as he himself writes, is: "What is the basic mechanism whereby the social process goes on?" (Mead 1962, p. 13). To make this question palpable, he casts the social process in the form of a problem situation which he

gives a graphic formulation: "Dogs approaching each other in hostile attitude…walk around each other, growling and snapping, and waiting for the opportunity to attack. Here is a process out of which language might arise, that is, a certain attitude of one individual that calls out a response in the other, which in turn calls out a different approach and a different response, and so on indefinitely" (p. 14). Human beings find themselves in a similar situation. "We are reading the meaning of the conduct of other people…There is something that reveals to us what the purpose is - just the glance of an eye, the attitude of the body which leads to the response" (p. 14). But unlike animals, human beings are not confined to "the gesture" as the basic mechanism making possible an appropriate responses to one another's conduct. They are able to make use of language to overcome the initial problem situation of coming face-to-face with one another. Language is the much more complex form of the mechanism whereby the social process is carried. Rather than simply "specific stimuli calling forth the socially appropriate responses of the second organism" (p. 14), it is "a symbol which answers to a meaning in the experience of the first individual and which also calls out that meaning in the second individual" (p. 46). Mead is even more specific regarding the speech or communication situation: "The process of addressing another person is a process of addressing himself as well, and of calling out the response he calls out in another; and the person who is addressed, in so far as he is conscious of what he is doing, does himself tend to make use of the same vocal gesture and so to call out in himself the response which the other calls out - at least to carry on the social process which involves that conduct" (pp. 108-9). While focusing on the elementary situation, Mead is also aware of the wider ramifications of language. It is what "has been responsible, ultimately, for the origin and growth of present human society and knowledge" (p. 14).

Given the starting situation of two individuals who come face-to-face with each other and have to find a way of relating in an appropriate manner to one another, Mead is first of all interested in meaning. For it is the sameness, identity or universality of meaning (Mead 1962, pp. 75-90) that allows the resolution of the problem posed by the initial situation. Although in the first part of Mind, Self, and Society under the influence of Darwin speaking virtually consistently of the participants in the social process having to adapt or "adjust and readjust" to one another (e.g. pp. 46, 75), he has in mind the communicative or dialogical relation between individuals occupying the interchangeable roles of speaker and listener (pp. 67, 69, 108-9, 139). They do not simply respond to one another in the same way, but, as Mead characteristically stresses, they put themselves in the place of the other (p. 270) or, differently, take the attitude of the other toward themselves (p. 90). They take over or internalize and mutually anticipate each other's responses or mutually expect each other's expectations. This is made possible by the fact that the individual, through the development of the self (pp. 173-78), is simultaneously a subject - an "I" - and an object - a "Me" - not only to him- or herself but also to the other. Since the social process in which they are involved forms part of a larger community or society, they are furthermore led to generalize their mutual expectations. They take the attitudes of all others, of the community to which they belong as a whole, or the organized set of responses or expectations of society, thus orienting themselves toward one another through generally recognized social norms - what Mead famously called "the generalized other" (pp. 90, 154). For Mead, this concept pointed toward the possibility of a "universal human society" in which individuals would attain an unprecedented level of "social intelligence" (p. 310), communication would be made perfect, and democracy would take the form of "universal discourse" (p. 327).

Phenomenological Foundation: Alfred Schutz

During the late 1920s, while Mead offered the lectures that were transcribed by students and eventually made up his famous posthumous work of 1934, Alfred Schutz was writing his Phenomenology of the Social World, published originally in Vienna in 1932, in which he dealt with comparable problems. Behind him lay also the German idealist tradition, particularly as represented by Husserlian phenomenology, but it would be almost another decade before he would come into contact with pragmatism on its home ground. Starting from Husserl's phenomenology of internal time consciousness supplemented by Bergson, Schutz initiated a reconstruction of the structures of the world of everyday interaction, and thus in an innovative step anticipated the point of view of Husserl's last writings dealing with the lifeword. Although he never rejected the transcendental approach to subjectivity, Schutz made a transition to a social phenomenology which focuses on intersubjectivity. It is by way of this concern of his that the problem of what Parsons later called "double contingency" came to occupy centre stage in his important early major work. Not only does he seek to clarify how reciprocity of perspectives, mutual understanding and social interaction or communication are possible, but he also endeavours to show how the structure of the social world is built up upon these foundations.

Assuming that the social world is based on the concept of everyone and hence also the other, Schutz (1976, pp. 97-138) starts in his analysis of intersubjectivity from the situation of two individuals confronting one another and being faced with the problem of having to come to mutual understanding. A detailed reconstruction of the process in which they deal with this common problem leads him from their first groping attempts to perceive and interpret the other through signitive-symbolic representations offered by the other's body as a field of expression to the establishment of a fully fledged communicatively mediated social relationship. Not unlike Mead, Schutz conceives of this trajectory as being marked out by signs or symbols such as gestures and facial expressions (p. 101), on the one extreme, and language as a system of signification which serves communication both as an expressive and an interpretative scheme (p. 122), on the other. The first and most basic requirement for the felicitous establishment of intersubjective understanding by these means is what Schutz, following Bergson, calls "simultaneity" (p. 103). The two individuals must make the necessary assumption that the internal time consciousness of the other has a structure similar to his or her own, so that their respective streams of consciousness or flows of duration become synchronized and eventually interlocked in social interaction within a face-to-face relationship. Once this temporal parallelism has been established, the spiral of give and take goes its way: "…I am attending to your actual conscious experiences themselves and not merely to my own lived experiences of you. Furthermore, as I watch you, I shall see that you are oriented to me, that you are seeking the subjective meanings of my words, my actions, and what I have in mind insofar as you are concerned. And I will in turn take account of the fact that you are thus oriented to me, and this will influence both my intentions with respect to you and how I act toward you. This again you will see, I will see that you have seen it, and so on" (p. 170). Schutz regards the intersubjective understanding achieved on this basis, again comparable to Mead when he talks of putting oneself in the place of the other or of taking the attitude of the other, as either involving "put(ting) ourselves in the place of the actor" (p. 114), in the case of understanding without communicative intent, or "identifying (one)self with the experiences (of the other)" (p. 115), in the case of a common communicative situation.

Considered somewhat more formally, Schutz's position on intersubjective understanding, particularly the problem situation of what would later become known as double contingency at the heart of intersubjectivity, can be reconstructed as a layered model. Precisely how many

levels it traverses is difficult to judge from his account, but in its social phenomenological or mundane form it consists of six - at times overlapping - dimensions. This model presupposes what Schutz calls "the general thesis of the alter ego" (pp. 97, 165), which expresses the assumption that since the individual is born into a social world the experience of the community or "the We" precedes the experience of the ego. From this soil arises at the deepest level of the model first the "Other-orientation" (p. 146) in the sense of the positing of the existence of the other. In so far as the individual becomes intentionally conscious or aware of the presence of the other, this orientation is secondly transformed into the "pure Thou-orientation" (p. 163). When this orientation assumes a reciprocal form, Schutz speaks thirdly of the "pure We-relationship" (pp. 164, 167-8). In this case, two individuals are aware of each other's presence and have knowledge of the fact that the other is aware of him or her. The addition of the personal characteristics and traits of the other leads, in the fourth instance, from the Thou-orientation in its pure form to its actualized and determinate form (p. 164). Fifthly, it is only when the two individuals actually turn toward one another, take into account each other's subjective contexts of meaning and mutually experience their simultaneity or common stream of consciousness by taking the roles of speaker and listener or questioner and answerer that a "concretized and actualized…(or simply)…concrete We-relationship" (pp. 164, 168) results, which for Schutz is synonymous with a full social relationship or what he also calls the "face-to-face relationship" (pp. 167, 169). Finally, it is possible for the partners not simply to participate with undivided attention and thus to be submerged in a We-relationship, but also to step back from participation and to reflect on the relationship itself (pp. 167, 168). Rather than being confined to being participants, they could also assume the role of participants who observe themselves both individually and mutually - analogous to Mead's "I" and "Me" in an interactive relationship within an external world they experience directly. At issue at this highest level, then, is the relational problem of two individuals who are subject and object both for themselves and for the other, on the one hand, and the nature of their relation, on the other. Although Schutz was not yet able to couch it in such terms, this model of his can be taken to suggest not only what is entailed by the problem of double contingency, but also what the two individuals involved would be required to do to overcome it. Considered from the uppermost level of the model, the problem of double contingency is given with the fact that the one's perspective on his or her relationship to the other is contingent on the other's perspective and vice versa. Were the two partners to deal adequately with this problem so as to be able to establish a felicitous social relationship, then they would have to articulate and co-ordinate two self-other complexes (Schutz himself speaks of co-ordination, pp. 119, 131).

It is apparent that Schutz is clear about both the paradoxical and the reflexive nature of the problem situation of double contingency. The basic reference point is the dialogical situation in which two individuals in turn take the interchangeable roles of speaker and listener (p. 127) or questioner and answerer (p. 161). The principle of simultaneity and the general thesis of the alter ego capture the paradoxical state of affairs in which two distinct individuals who confront one another as subjects demanding mutual recognition of their uniqueness, are required to regard each other as identical in the sense of having the same structural features and as being capable of assuming the same roles. Making use of his own distinction between "in-order-to motives" (i.e., expectations giving action its orientation) and "because-motives" (i.e., past experiences conditioning the present), he is able to show not only the mutual reflexivity of expectations, i.e., how one expects the expectations of the other, but also how one identifies with those expectations to such an extent that they condition his or her own action (p. 162).

That Schutz elaborates on the specific experience and knowledge of the other encountered under the risky contingent conditions of a given social situation (pp. 169, 171-2) does not deter him from stressing the crucial significance of the "stock of knowledge" or "interpretive schemes" learned and acquired through experience (pp. 80-3, 162, 169). These schemes, which provide meaning contexts for all further experience, structure and guide the individual's expectations, interpretation of signs, and dealings with the other and the external world. At this point, a sharp difference between Schutz and Mead becomes apparent. The normative implications that Mead associated with his view of the sameness, identity, universality of meaning, particularly those connected with social intelligence and democracy, are conspicuously absent in Schutz. Although he mentions the formal logical as well as the practical and ethical dimensions of these schemes (p. 81), he proceeds in a quite undifferentiated way. This can be attributed to his typical phenomenological emphasis on cultural knowledge. Focusing on the identity of meaning achieved in a given social situation through the activation of a taken-for-granted pre-constituted stock of knowledge, he gives priority to intersubjective or mutual understanding conceived in a cultural sense rather than in terms of social norms or normative principles.

Formulation of the Concept: Talcott Parsons

Talcott Parsons was the first to name and to give precise formulation to what he called "the fundamental proposition of double contingency of interaction" (Parsons 1977, p. 167). This was done in 1951 in the almost simultaneously appearing Toward a General Theory of Action, an anthology edited with Edward Shils, and The Social System. He finally restated his position in 1968 in a contribution to the International Encyclopedia of the Social Sciences entitled "Social Interaction", which was later included in one of his last collections, Social Systems and the Evolution of Action Theory (1977). In the latter essay, Parsons offers a lucid overview of the complicated history of the concept of social interaction and its theoretical context. In addition to older historical theories, special mention is made of American pragmatism and European existentialism, including phenomenology, as two very influential theoretical traditions that have shaped the field in a decisive way. What is remarkable about his account, is that Parsons gives phenomenology short shrift and, despite Schutz's incisive analysis, does not refer to the Austro-American at all. That he nevertheless had Schutz in mind is suggested by the fact that he mentions Erving Goffman who, in his opinion, has brought together "a Meadian symbolic interactionism and a phenomenological viewpoint" (1977, p. 166).[3] There can be no doubt about the fact that Mead as well as the conspicuously absent Schutz had prepared the ground for Parsons' identification and formulation of the theorem or fundamental proposition of double contingency.

In the essay of 1968, Parsons (1977, pp. 154-76, particularly pp. 167-68) introduces double contingency within the context of an account of social interaction and discusses it more specifically in relation to dyadic interaction. The fact that he chooses a limiting case as his reference point serves as an indication that he understands himself as being confronted with the task of having to clarify fundamental matters of much theoretical significance. This was reflected earlier already in the two contributions of 1951. In Toward a General Theory of Action (Parsons and Shils 1951, p. 16), the concept of double contingency is put forward in the "General Statement" which was designed to serve as a programmatic introduction to a general theory of the social sciences and to lay down some basic theoretical principles. In The Social System (Parsons 1964, pp. 10, 36, 48, 94), double contingency is introduced in a comparable manner to underline the deep theoretical sense of the concept. Parsons clearly regarded double contingency as a theoretical concept that was necessary to account at a basic level for the possibility of social interaction or communication and, by extension, of social

order. On the one hand, double contingency draws attention to the potential hazard of conflict between individuals confronting each other face-to-face, and on the other it points toward accomplishments that could lead to co-operation and sharing (1964, p. 48). As such he saw it as an unavoidable basic condition that generated a problem at the social level which required a solution if social action, social interaction, social order and hence society were to be possible.

Assuming a dyadic relation while acknowledging that it presupposes a common culture, Parsons starts from what he regards as the two most crucial reference points for an analysis of social interaction: "(1) that each actor is both acting agent and object of orientation both to himself and to others; and (2) that, as acting agent, he orients to himself and to others and, as object, has meaning to himself and to others, in all of the primary modes or aspects. The actor is knower and object of cognition, utilizer of instrumental means and himself a means, emotionally attached to others and an object of attachment, evaluator and object of evaluation, interpreter of symbols and himself a symbol" (Parsons 1977, p. 167). From these two reference points, which unmistakably build on Mead's and Schutz's achievements but are differentiated by means of his Neo-Kantian concept of culture, Parsons then derives the theorem of double contingency: "Not only, as for isolated behaving units, animal or human, is a goal outcome contingent on successful cognition and manipulation of environmental objects by the actors, but since the most important objects involved in interaction act too, it is also contingent on their action or intervention in the course of events" (p. 167). The double contingency at issue here, i.e., the double contingency specifically of interaction, does not consist of the two contingencies explicitly mentioned, as the formulation might be taken to suggest, but is connected with the word "their" italicized by Parsons. By way of his layered model reconstructed above, Schutz's had already made clear that the issue is the interrelation of two self-other complexes. Parsons' other explications of the concept bear out that this is how he understands double contingency.

On the original introduction the concept in the early fifties, Parsons stated the proposition of double contingency in the following form: "There is a double contingency inherent in interaction. On the one hand, ego's gratifications are contingent on his selection among available alternatives. But in turn, alter's reaction will be contingent on ego's selection and will result from a complementary selection on alter's part" (Parsons and Shils 1951, p. 16). Shortly after in The Social System, he once again identified the two "contingency factors" that result in double contingency: the contingency of what an actor actually does in the context of an elementary interaction situation, and the contingency of the other's reaction to what is being done (Parsons 1964, p. 94). To summarize, two actors encounter one another in a social situation. Ego and alter are different from each other and the situation in which they encounter one another is a socially undetermined one in which social interaction remains impossible, unless they are able to deal with and sufficiently overcome the lack of determination and hence the differences between them. Whatever each does in this open, empty, indeterminate situation depends on what each chooses to do and on what the other actually does. For both, besides their respective systems of alternatives, the situation is equally undetermined in that each could choose this way or that and could decide to act or react this way or that. Both actors are moreover equally uncertain, for both are potentially unlimited sources of words and actions. Any and every instance of interaction between two social actors necessarily takes place under such conditions of double contingency.

In The Social System, Parsons (1964, pp. 10-11) underlines the centrality of double contingency by suggesting that it is closely related to the indissoluble relation between

symbolization and interaction. Let us attempt to reconstruct the suggested position. The basic reference point for Parsons is that while symbolization is impossible without the interaction of actors, the individual actor is unable, vice versa, to acquire a symbolic system without interaction with others. Double contingency occupies the centre of this nexus in so far as it poses a problem, on the one hand, but at the same time also demands a solution, on the other. When two actors encounter one another in an indeterminate situation and ego begins to adopt an elementary orientation toward alter, then ego engages in signification or symbolization. This means that ego is bringing into play an expectation that necessarily involves abstraction or generalization from the particularities of the situation. The expectation that ego brings into play here in the form of symbolization, is one that ego has acquired through interaction with others. Whence its potential transcendence of the particular situation in which ego and alter find themselves. When alter now reacts to ego in contingency on ego's proposal, alter also articulates an expectation and thus engages in a further step of symbolization which reinforces the structuring effect of the first symbolization step. Two actors who have acquired a symbolic system or culture in the medium of social interaction, act and react in particular ways in a specific situation such that they thereby activate relatively stable and more or less shared symbolic or cultural forms which give the situation a sufficiently abstract or generalized meaning to make communication possible between the two partners.

Proceeding from this theoretical basis, Parsons gives a particular interpretation of generalization from the particularity of the specific situation and of identity of meaning across the range of contingent alternatives available in the situation. The direction of the move he makes, which is not untypical of the sociology of the first half of the twentieth century, is already suggested by his interpretation of the symbolization-interaction relation in terms of the integration of motivation and normative culture, but it becomes fully clear when he has to find a solution to the problem posed by the fact of double contingency, i.e., when he has to face such questions as: How do two actors who encounter each other in a situation of interaction relate to one another? What allows the two actors to make a selection from among available alternatives? On what basis are their respective performative contributions interrelated and coordinated? How is communication between ego and alter possible? Parsons' solution to the problem of double contingency takes the form of cultural determination (Parsons 1964, pp. 11, 37-8; Parsons 1977, pp. 168-9). Culture, which is always already available as a shared system, penetrates action orientations to such an extent that the existence of a value consensus can be assumed. On the one hand, it provides shared symbols or elements of tradition that control general systems of orientation. On the other hand, cultural patterns of value are internalised and institutionalised so as to become part of personalities and interaction systems as need dispositions and role expectations respectively. When two actors, who are motivated by their culturally defined needs, face one another in a particular situation which is nevertheless generally delineated by cultural symbols, they are thus able to relate to each other or to enter into social interaction due to the correspondence between or overlap of the role expectations or normative orientations they had acquired through socialisation.

II CONTINGENCY IN HABERMAS

Habermas on Double Contingency

The first impression one gets on reading Habermas' (1981, pp. 319-22; 1987, pp. 213-15) discussion of double contingency is that he rejects it as a pseudo-theoretical problem which has been generated by unacceptable empiricist, individualist and utilitarian assumptions. This, in any event, is how he interprets Parsons' introduction of the theorem with reference to

elementary interaction. As the reader proceeds, however, it becomes apparent that Habermas is willing to accept it on the basis of changed presuppositions. Instead of defining double contingency in terms of the voluntaristic free choice of ego and alter, as Parsons according to him does, he regards the theorem as invoking actors who are capable of decisions in the sense of taking yes or no positions on validity claims advanced in linguistic communication - particularly important to him being the ability to say no (1987, p. 74). Not only is there something such as the "doubly contingent relation", then, but he also accepts Parsons' suggestion that it poses a problem which requires ordering accomplishments - for him, the co-ordination of action. What he apparently quietly took over in the course of argumentation in The Theory of Communicative Action, he some years later emphatically accepts: "I assume with Parsons that social interactions linked in space and time are subject to conditions of double contingency" (Habermas 1997, p. 139). Here he leaves no doubt whatsoever about where he stands on the matter.

Proceeding from these observations, I would venture to submit that Habermas' theory of communicative action is a response, in extension of Mead, Schutz and Parsons, to the problem posed by double contingency. Starting from yet redefining double contingency, The Theory of Communicative Action is essentially an elaboration of a solution to the problem in terms of a more fully developed version of the theory of communication than had been available to his predecessors. Between Facts and Norms (1997), which is conceived as an extension of the theory of communicative action, invites a similar interpretation. It starts explicitly (pp. 33-4, 36, 37) from double contingency and seeks to develop a solution to the problem it poses in terms of modern law. At the same time, the theoretical tour de force of these works also opens up a perspective on a problem that henceforth would become virulent in his work. Given the intense concentration and the immense expenditure of energy on the working out of the co-ordinating and ordering accomplishments and structures required by the complex solution envisaged by him, it does not comes as a surprise that Habermas overlooks this next most important problem raised by the theory of communication, namely the problem of "triple contingency". Between Facts and Norms as well as the later Die Einbeziehung des Anderen (1996) differ from The Theory of Communicative Action in so far as these books contain evidence that it is becoming increasingly difficult for him to ignore this problem. The fact that Habermas does not acknowledge and explicitly take up this new problem, particularly in the sociologically relevant sections of his major works, has far-reaching implications for his place in the sociological tradition and for the relation of the younger generation to him. Because of his continued search for a solution to a problem posed in the classical phase of sociology and his concomitant failure to develop the new problem that he himself raises in the course of so doing, Habermas can be classified with Parsons as being a neo-classical sociologist. The problem that he bequeaths to contemporary sociology is that of triple contingency.

Habermas' particular position on double contingency owes everything to an extrapolation and penetrating analysis of the implications of the communication theoretical approach far beyond Mead, Schutz and Parsons. In developing this approach, he was able to draw on the long-standing concern with language in the German philosophical tradition, the twentieth century linguistic turn, and in particular the inspiring interpretations of Pierce and Wittgenstein by his friend Karl-Otto Apel (Habermas 1997a, pp. 84-97).

In his reconstruction of Mead's symbolic interactionism, Habermas follows three distinct strands that allow him to delineate the problem of contingency,[4] while pinpointing both the strengths and weaknesses of the American author's theory of communication.[5] The strands

are those leading first from the gesture via symbolically mediated to linguistically mediated communication, secondly from context-bound signs to meaning conventions securing the identity of meaning in symbolization, and the third from instinctual to cultural, linguistic modes of the coordination of action. By giving attention in an innovative way to these various developments, Mead succeeded in introducing a paradigm shift that deservedly earned him the status of a founder of the modern social sciences, but Habermas nevertheless discovers a number of gaps in his path-breaking analysis that weaken his theory of communication. In addition to failing to develop his concept of language in an adequately differentiated way (Habermas 1987, p. 28), Mead pursued neither the significance of meaning conventions (p. 15) nor the reaching of understanding through communication far enough (p. 28). These weaknesses go back to Mead's attachment to points of view deriving from epistemology, behaviourism and psychology which blocked the full development of a communication theoretic understanding. As regards the problem of how the actions of ego and alter confronting each other in a social situation could be co-ordinated, for instance, Habermas (p. 26) insists that Mead never struck on the illocutionary binding effect contained in linguistic utterances. Similarly, his significant contribution under the title of "the generalized other" also suffers from a flaw. Not only did he fail to differentiate sufficiently the socio-cognitive and moral points of view implied by this concept (p. 36), but he was not clear enough about the moral dimension, particularly the validity status of norms (p. 38). This weakness can be traced to Mead's neglect of the phylogenesis of moral authority (p. 44). In Habermas' view, the various lacunae in Mead work can be filled by a communications theoretic position that is internally adequately articulated and consistently developed at both an ontogenetic and phylogenetic level.

Habermas' (1987, pp. 126-34) analysis of Schutz from the point of view of his contribution to a communication theoretic concept of the lifeworld gives him the opportunity to appropriate a concept of cultural background knowledge that provides resources for the interpretative negotiation of common definitions of action situations, on the one hand, and is in turn reproduced through the communicative action and mutual understanding such interpretative accomplishments entail, on the other.[6] A significant aspect of Schutz's work for him, therefore, is his communicative concept of action in the sense of the interpretation of a situation and the establishment of mutual understanding. The need for this concept derives from what Schutz appreciates as the fundamental problem of intersubjectivity, which Habermas accepts as relating the "the question of how different subjects can share the same lifeworld" (p. 129) and of how they can avoid "the risk of not coming to some understanding, that is, of disagreement or misunderstanding" (p. 127). In keeping with his endorsement of the concept of double contingency, Habermas acknowledges that Schutz, by way of his concern with the risk of disagreement or misunderstanding and its avoidance by the establishment of mutual understanding, is touching on a necessary condition of the social world. Despite this significant contribution, however, Schutz failed to realize the full potential of his position. The basic problem, according to Habermas (1987, pp. 129, 130), is that Schutz's attachment to Husserlian phenomenology, in spite of his focus on the intersubjective social world, not only kept him within the bounds of the philosophy of consciousness but also prevented him from fully adopting the communication theoretic approach. Consequently, his work suffered from being located in an ambivalent position. Were this difficulty to be eliminated, according to Habermas' proposal, then the structures of the lifeworld would have to be understood from the start and throughout in terms of the structures of intersubjectivity generated by linguistic communication.

Earlier, I have argued that Habermas takes over the theorem of double contingency from Parsons, yet not without rejecting the voluntarism, together with its empiricist, individualist and utilitarian connotations, on foot of which it had originally been introduced and replacing it by a communication theoretic basis. Having accepted this principle, he (1987, pp. 215-56) then fights a running battle against the ever new permutations of Parsons' solution to the problem generated by the fact of double contingency, all of which turn on the concept of culture. During the early phase of his intellectual development, Parsons argued against the heteronomy of ends and in favour of the integrity of the social by attributing cultural value standards to individual actors and demonstrating the need for their harmonization (p. 214). It is this kind of thinking that still shaped his introduction of the fundamental proposition of double contingency. It underwent a relatively drastic change in his early middle phase, however, when cultural anthropology assisted him to develop a concept of culture that allowed him to conceive of the cultural determination of action orientations (p. 217). Common cultural patterns, which were differentiated along neo-Kantian lines into interpretative, evaluative and expressive components, were depicted as regulatives that through internalization and institutionalization penetrate into motives and role expectations respectively. The manner in which cultural values structure an actor's scope of choice between alternatives yet leaves open the contingency of decisions was captured by the concept of "pattern variables". Parsons here ascribed a special status to culture by defining it as an external, free-floating complex of meaning possessing its own coherence and consistency as well as a certain control function. Habermas (1987, pp, 221, 226, 254) relentlessly criticizes this as a reification of culture which he accounts for with reference to Parsons' neo-Kantian predilection and his related choice of the inappropriate epistemological model. Later, when Parsons exchanged structural functionalism for systems functionalism, he retained the conception of culture as a transcendent system of semantically related values possessing validity. It was only in his last period, characterized by his acceptance of the primacy of systems theory, that he was compelled to surrender the claim of special status on behalf of culture. Instead of neo-Kantianism, systems theory now dictated that culture be regarded as one sub-system of the general action system among others. Calling cybernetics to his assistance, however, he nevertheless managed to ascribe anew a steering function to the cultural system by means of the hierarchical control that information exerts over energy expenditure. In this way, he finally believed himself once again able to secure a determining force for culture (pp. 248-49). In Habermas' estimation, a better solution to the problem following from double contingency than is offered by this epistemologically conceived, past-oriented, static and objectivist reified concept of culture has to be sought for in the "communications-theoretic model of speaking and acting subjects (p. 254).

From Double to Triple Contingency

Habermas grants that, in one way or another, his predecessors all saw the relevance of language and communication, yet neither Mead nor Schutz and even less Parsons fully embraced this insight, not to mention fully exploited its potential. Language as the primary means for the transmission of culture as well as the communicative dimension of action co-ordination should be taken more seriously that any of them realized. According to his proposed communication theoretic model, double contingency should be conceived from the start as the relational problem of communicatively acting subjects rather than human beings without a fully differentiated propositional language, as in Mead, or intuitively proceeding and overly subjectivist actors, as in Schutz, or monadic actors whose contingent choices between alternatives are regulated by preferences, as in Parsons. Mead's position on meaning conventions and the co-ordination of action could be improved and Parsons' reified concept of culture could be dissolved if a Schutzian view is adopted according to which the emphasis

is placed on interpretative acts oriented toward mutual understanding as the means whereby transmitted culture is appropriated and common situational definitions are arrived at. For Habermas (1987, p. 220) this means that the twofold function of culture should at all times be appreciated, that is, its context-generating function of providing the unquestioned background against which communicatively acting subjects confront each other and are compelled to construct common situation definitions, and its text-generating function of inserting individual cultural patterns into the semantic content of utterances and thus providing knowledge that is criticizable. It is particularly at this text-generating level that Habermas makes his most characteristic and most decisive contribution which goes far beyond all his predecessors. The problem of the co-ordination of action raised by the fact of double contingency, which opposes two communicatively acting subjects capable of taking a decision about a yes or no position on a linguistic offer, can be solved by conceiving of the participants as being oriented toward validity claims raised in their communication (p. 215). Unlike Mead who did not sufficiently appreciate the propositionally differentiated nature of language and hence proceeded to fix on relatively vague symbols, Habermas distinguishes and clarifies the illocutionary force of the full range of linguistic utterances, from a statement of fact through giving a command to expressing a feeling. Unlike Schutz (1976, p. 130) who indeed recognized the importance of the reasons underlying communicative offers yet left them essentially unanalysed under the title of the "in-order-to-motive" of communication, Habermas analyses the rationality of speaking subjects and ferrets out the full range of validity claims that they at least implicitly advance in their communication. Finally, unlike Parsons who located validity in the consistency requirements of a free-floating, transcendent cultural realm and thus failed to plausibly explain how it could become factically effective, Habermas (1987, pp. 231; 1997, pp, 18-19) makes the far-reaching proposal to bring validity claims down from heaven and to incorporate them from the start into empirical contexts of action.

Building on his own understanding of double contingency as the relation of communicatively acting subjects who do not know whether to expect a yes or a no response from the other on making a communicative offer, Habermas develops his position by drawing on Hegel's analysis of the "dialectics of the I" (Habermas 1974, pp. 144-47; 1971, p. 193), on Schutz's analysis of intersubjectivity in terms of reciprocally interlocked perspectives and roles within the same communicative context (Habermas 1988, p. 106) and on Mead's analysis of the change in perspective accompanying the transition from play to game (1978, pp. 35-36).The result is a clarification of the structure of communication that goes well beyond double contingency and the relational problem of ego and alter. It therefore also serves him as a basis for a critique of dialogical philosophy (Habermas 1997a, pp. 133-34) in so far as it proceeds from a selective understanding of communication and exchanges the traditional epistemological subject-object relation for the communicative I-Thou relation. Formally, Habermas' analysis of the structure of communication highlights the perspectives or roles, the attitudes and the system of personal pronouns involved in communication, but it is also here that he implicitly begins to raise the problem of triple contingency. This problem, to be sure, has been dormant in his writings since his first major work, Strukturwandel der Öffentlichkeit (1969), which was originally published in 1962 and became available in English in 1989 entitled The Structural Transformation of the Public Sphere, but it is particularly in his most recent work, Between Facts and Norms ([1992] 1997) and in the later collection, Die Einbeziehung des Anderen (1996), that it begins to assert itself in what seem to be an uncontrolled manner.

In the relation of double contingency, two communicatively acting subjects, ego and alter, are faced with the problem of taking up the communicative roles of speaker and hearer. If they succeed in overcoming these contingency conditions, the interchangeable perspectives of speaker and hearer become intermeshed in such a way that two co-ordinated ego-alter circles or perspectives of participation result. The participants' awareness is not exhausted by concentrating solely on themselves and on the other opposite them, however, since at the same time both are also able to relate to the world of perceptible and manipulable objects around them. Were they not able to do so, they would not have been able to participate fully in communication. This ability implies that, in addition to the perspectives of speaker and hearer, another perspective comes into play in the development beyond the double contingency relation. This is the perspective of the observer. When this perspective enters social interaction, ego is able to take an attitude that allows him or her to divide alter's communicative role in two, the role of alter ego in the sense of a participating counterpart and the role of a neutral or non-participating onlooker or observer belonging to the group forming part of the social situation. As a consequence of this structural differentiation made possible by the adoption of an objectifying attitude in addition to a performative attitude, the perspectives of speaker and hearer are relativized vis-à-vis a third perspective. The first person who is speaking and the second person who is addressed and responds show up against the background of the uninvolved third person. The emergence of this basic triad marks the structure of communication that takes place in a social group within a situation in the real world. Such communication is mediated by the system of personal pronouns that allows not only an "I" to relate to a "you" or "thou" as well as to a "him", "her" or "them", but also others in the role of second person or third person to relate to a "me".

For Habermas, the most important point that follows from this analysis of the structure of communication concerns the implications of the differentiation of the third person point of view for the relation to the other. This means that relations are now being touched on that imply a shift from double to triple contingency. While the new category of taking the attitude of the other that now becomes apparent is related to what Mead called "the generalized other", Habermas (1987, pp. 35-40) nevertheless criticizes Mead for not grasping it in its full sense, and therefore he brings Durkheim in to support an extended version. Mead did not make a clear distinction between the socio-cognitive and moral dimensions of generalized and hence valid social norms, and as a consequence he neglected to come to grips with normative validity in the sense of the obligatory character of valid norms in a manner approaching Durkheim. The criticism of Mead also applies to Schutz, who operated with a culturalist concept of the lifeworld to the exclusion, among other things, of the question concerning the social norms at issue in institutionalization and social solidarity (Habermas 1987, p. 139).

Socio-cognitively, the individual learns in the course of ontogenesis and socialization to objectify the reciprocal interrelation of participant perspectives from the perspective of the observer and thus to adopt an objectifying attitude toward his or her own interaction with alter ego. Once the individual is able to do this, he or she distinguishes ego's and alter's system of interchangeable, interrelated participant perspectives from the particular situation in which they find themselves, and appreciates that the system of perspectives is a general one that anyone would have to adopt were he or she to take the places of ego and alter. By being generalized, a concrete pattern of action is thus transposed into a rule of conduct or a norm. At the same time, the individual also understands that the will, interests and possible sanctions that enter ego's and alter's interaction as imperative force are not particularities attaching to ego and alter but are rather tied up with the larger collectivity or group to which

they belong. It is a group-specific generalized imperative that rests on a collective choice related to the maintenance of collective interests.

Habermas (1987, p. 37; 1996, pp. 14-15, 20-22) is critical of non-cognitivist empiricist and weak cognitivist contextual moral theories since both accept, albeit in different ways, the result of the socio-cognitive development sketched above as being definitive. This leads them to emphasize the collective regulation of the choices of participants in social interaction who co-ordinate their actions through collectively endorsed sanctions and the reciprocal satisfaction of interests, as in empiricist ethics, or the reciprocal reproduction of strong values, as in contextual ethics. What they overlook is the obligatory character of social norms or normative validity - "the categorial validity claim of moral obligations" or "the epistemic core of normative validity" (1996, p. 15) which becomes apparent only when one recognizes "the third point of view" (1996, pp. 106, 109, 114, 120, 122, 125) in the sense of the moral point of view from which intentions and policies can be judged in a context-independent and impartial way. This is the Kantian position articulated earlier by Durkheim and today, albeit softened through communication, by Habermas himself. In this case, the imperativistic authority attaching to the collective will and collective choice of a particular social groups or larger unit is transformed through internalization, and thus insight and assent, into normative authority which no longer admits of being identified with a particular social unit due to its in principle universalistic character. This coincides with Mead's "generalized other" in its proper sense. In terms of Habermas'(1996, pp. 15, 39, 117, 120) approach, this moral point of view possessing epistemic and thus post-metaphysical authority is a reconstruction of the point of view that the members of post-traditional societies themselves assume when they are required under the conditions of the problematization or breakdown of moral norms to have recourse to epistemic grounds or reasons which, in turn, should not be confused with the actors' motives.

The Problem of Triple Contingency

I argued above that, paradoxically, Habermas inadvertently raised the problem of triple contingency in the course of his analysis of the structure of communication which was aimed at the solution of the problem posed by the fact of double contingency. The problem of the higher level contingency was brought to the fore when the analysis, in moving beyond the relation of double contingency, uncovered the differentiation of the structure of communication which led to the emergence of the third person perspective. This means that triple contingency is connected with the triadic structure of communication. Although not recognizing it as such, Habermas did begin to touch on the problem through the classical contributions of Mead, Schutz and Durkheim. While the works of the former two registered the process of the structural differentiation of communication by means of the complex of socio-cognitive concepts encapsulating the system of perspectives, attitudes and personal pronouns mediating communication in social units, the latter pointed toward the moral dimension. Already the fact that Habermas tends to proceed from here to emphasize the moral dimension to the exclusion of all else suggests that he does not deal with the problem of triple contingency. But when he, despite numerous difficulties prompting him to change tack, continues to fail to offer a consistent approach, one begins to suspect that he does not recognize the problem as such. The Theory of Communicative Action gives evidence of his ambivalence, which is compounded in Between Facts and Norms and in Die Einbeziehung des Anderen. The latter is particularly interesting in so far as it contains an explicit attempt to come grips with the proper location of "the third point of view".

Before considering Habermas' difficulties in these three works, however, let us take a preliminary look at what triple contingency involves. In the case of double contingency, as we have seen, two social actors or communicatively acting subjects, A and B, face or encounter one another and enter into some relation with each other as "I" and "Thou". In the basic situation of triple contingency, by contrast, there is a third perspective, borne by C, who observes what A and B are saying and doing. C is indeed a non-participating observer or onlooker, as Habermas submits, but C is not simply a "neuter" (Habermas 1987, p. 35) in the sense of a neutral and uninvolved third person who at best allows or compels A and B to adopt an objectifying attitude toward their own interaction. Although not participating, C does have a certain if indirect involvement. In fact, C has a constitutive significance for the social situation as such. Habermas would indeed seem to recognize this constitutive sense through Mead's "generalized other", but why does he persist in taking the twofold I-Thou relation as representing the elementary social situation whereas it is actually the threefold configuration that for the first time establishes it? Why does he start in both his last two major theoretical works - The Theory of Communicative Action and Between Facts and Norms - from double contingency?

To the triadic configuration, furthermore, applies a higher degree of contingency. In the case of double contingency, two actors or subjects, A and B, are both compelled to make a selection from alternatives while taking alter ego into account, and thus to establish a relation between themselves. The inclusion of the third person point of view, represented by C, means that the social situation in the case of triple contingency is very different and more complicated from the start. It is not simply a matter of the aggregation of elementary interaction. To the extent that the observer, C, belongs to the situation as a constitutive part of its sociality, the third point of view standing behind or over and above A and B represents society. It embodies the societal power of definition. C has a constitutive social role in that he, she or it has the power to define the situation. Whatever A and B say and do, therefore, must in principle make sense to C. From the start and throughout, A and B are subject in their interrelations to meanings and norms as defined by society and represented by the observer. As regards contingency, A and B make their choices and take each other into account, while at the same time being relativized by a societal definition or collectively accepted representation for which C stands. Here, again, it would seem as though Habermas is not very far off the mark. He is aware of the societal power of definition associated with "the generalized other" not only in its socio-cognitive sense but also in its moral sense. Socio-cognitively, C represents the collective will in the sense of a group-specific generalized imperative, and morally it represents the normative validity and normative authority associated with the moral point of view. Yet here too, as in the previous case, a subtle difference is of enormous significance. Habermas largely emphasizes the moral dimension and downplays or even rejects the socio-cognitive one. This approach constitutes a problem in its own right. But in The Theory of Communicative Action (p. 231) he also claims, quite to the contrary, that his position constitutes an integration of these very same two dimensions. While he still maintains the first position, he has since come to defend the second more often. This is the source of a conspicuous ambivalence in Between Facts and Norms and Die Einbeziehung des Anderen. This ambivalence indicates that, in the final analysis, Habermas does not recognize the problem of triple contingency. For this problem consists not simply in the fact that C relativizes the perspectives of A and B in that the third perspective compels them to take a detour through a symbolic structure, but in particular in the unpredictable mediation and integration of the socio-cognitive and the moral in the course of a process of deliberation or discourse in a concrete context. In contemporary communication societies, what is collectively accepted as valid is neither pre-given nor an immutable transcendent, but

itself becomes established only in the course of the process. The crucial marker of what is collectively accepted as valid in such a concrete context, important to note, is the role of the public. This is where the problem of triple contingency asserts itself. According to the available evidence, Habermas seems neither willing nor capable of taking this bull by the horns, despite the fact that he is the one who has done most to create the conditions for the problem of triple contingency to become visible.

In The Theory of Communicative Action, where he discusses the socio-cognitive and moral dimensions of the generalized other, Habermas does not only underline the importance of this distinction but he also stresses the need to focus on the moral dimension per se. This emphasis goes hand in hand with a demotion of the socio-cognitive dimension. Although the latter actually concerns not simply the concepts of self and other acquired in the course of socialization and individuation but rather the empirically identifiable, historically specific socio-cultural context, he nevertheless places a stricture on it. This unaccommodating treatment can be attributed to the fact that Habermas takes a position vis-à-vis the socio-cultural dimension from a moral theoretic standpoint and thus dismisses it together with "empiricist ethics" (1987, p. 37). On this faulty basis, he then proceeds to introduce a series of distinctions, such as those between imperativistic and normative authority, sanction and assent or socially generalized imperatives and intersubjective recognition (1987, pp. 38-9), in respect of which he creates the impression as though it were possible to embrace the last member of each pair to the exclusion of the first one. Simultaneously, he tends to give the first moment an overly empiricist interpretation. In this same vein, he defends moral theoretical formalism of a Kantian provenance which he also finds in Durkheim and Mead (1987, p. 108). At the same time, however, Habermas advances a claim that is very interesting yet contrary to this position of his. He claims that his theory of communicative action is an exercise in detranscendentalization: "Through the concept of the lifeworld, the sphere of validity claims, which is, according to Parsons, located in a transcendent realm of free-floating cultural meanings, would be incorporated from the start into empirical, spatiotemporally identifiable contexts of action…If validity claims function, so to speak, as pulleys over which consensus formation and thus the symbolic reproduction of the lifeworld pass, they are, without prejudice to their normative content, installed as social facts - their facticity needs no further foundation" (1987, p. 231). In this case, Habermas does not distinguish normative validity from the socio-cognitive and related phenomena and then select it in preference over the latter, but he maintains them in their interrelationship and locates them within socio-cultural reality. Regarding their interrelationship as a property of that reality, he thus opens up the possibility of seeing the members of society themselves as dealing with this interrelationship, particularly the tension between the two moments, as a problem they have to confront and resolve. Taking South Africa under the Apartheid regime or Northern Ireland before the Good Friday Agreement as an example, one can see how the members of those societies themselves confronted the contradiction between normative validity and what is socially accepted and sanctioned in their particular socio-cultural contexts, and how they sought to collectively identify, define, address and resolve their collective problem. At this point, of course, the problem of triple contingency arises, as is suggested by the fact that public communication formed an inherent part of the dynamics of both these conflicts and that the definitional power brought to bear on both by international observers and more broadly the observing public proved decisive. Through the public, epistemic structures came into operation under specific socio-cultural conditions. Yet there is no evidence to suggest that the problem as such enters Habermas' purview. Despite the potential of this second proposal, the first position is the one that he predominantly represents. The critique of neo-Kantianism that he levels against Parsons would seem,

ironically, to apply in a certain sense to himself as well. The preoccupation with validity, earlier championed by such neo-Kantians as Heinrich Rickert and Emile Lask, undoubtedly predominates.

As the different titles of the German and English editions of Habermas' latest major work suggest, the second of the above-mentioned two proposals is taken up so that the tension between "facticity and validity" (Habermas 1992) or "between facts and norms" (Habermas 1997) becomes its main theme. This is a promising start that fills one with the expectation that the problem of triple contingency is going to be addressed directly, yet the highly interesting and instructive book, which deals with relevant topics such as discourse or deliberarion, public opinion- and will-formation, decision-making, and even the public, turns out to be a disappointment in this regard. Against the foil of an overview of the linguistic turn in reaction to psychologism and of his appropriation of Peirce's work for the purposes of his own theory of the communication community, Habermas (1997, pp. 17-27) reasserts the detranscendentalizing thrust of his project. For him, the idealizations built into language through its meaning and especially validity enter the constitution of the social reality of social interactions networked in space and time through communicative action. Although being unavoidable presuppositions anticipating ideal situations, they are made effective in interaction in so far as the illocutionary binding force of speech acts is brought into play to co-ordinate the actions of the participants. Communicative action allows the counterfactual assumptions of the actors, who are oriented toward the validity claims raised by themselves and the other participants, to become immediately effective in the construction and maintenance of social order, which itself consists of the recognition of normative validity claims. A careful reading of the opening sections of the book already reveals that Habermas is here all the time thinking of double contingency and participants in interaction seeking to overcome the "risk of dissension" it poses, while the generalized other is relevant only as the seat of idealizations in the form of validity claims. This means that he is overlooking the problem of triple contingency. Missing from his account is the middle level between the participants, one the one hand, and the sphere of validity, on the other. What is lacking is the third person perspective in the guise of the public who plays a decisive role in every concrete socio-cultural context in the contemporary world in determining how the validity claims take effect in public communication and what is eventually collectively accepted. Instead of addressing the problem of triple contingency directly, Habermas arrests the dynamism that the public brings into the social process, thus making its outcome less than predictable, by introducing modern law as the mechanism by means of which the tension between facticity and validity, which in the modern context multiplies the risk of dissension, is stabilized. There is of course no sense in denying the significance of law, but, considering the problem at hand in its contemporary manifestation,[7] Habermas' solution is a conservative one that fits well into neo-classical sociology and, by the same token, ignores a central problem of contemporary sociology.

At first sight, the thesis of the missing public in Habermas seems preposterous in respect of an author who has made such a monumental contribution to the theory of die Öffentlichkeit, the public sphere, publicity or the public. It is by no means my intention to question the significance of his work on this topic, from the early The Structural Transformation of the Public Sphere (1969) through Toward a Rational Society (1971a, particularly Chapter 5) to the very important recent Between Facts and Norms (1997, particularly Chapter 7 and 8), but there is room for a subtler point to be made. To begin with, it should be noted that there is a difference between "the public sphere" and "the public", and that Habermas is interested in the former rather than the latter. The public sphere refers to a communication structure that is

generated by communicative action and takes the form of a network for the communication of opinions which become synthesized in public communication as public opinion. As such, it is the social space in which public communication takes place and within which the various participants as well as the public appear. The public, on the other hand, is a collective noun that designates people who are recruited from the private sphere of civil society, which is complementary to the public sphere, to serve as the carrier of the public sphere. As such, the public forms the internal structure of the public sphere. Although Habermas is less concerned with the public, he nevertheless has some interesting things to say about it (1997, pp. 307-8, 327-87). The public presents itself in different forms, depending on the level of differentiation of communication processes. While the presupposition of physical presence applies at the lower levels, such as encounters and simple social interaction, the public becomes progressively generalized and more abstract as the level of differentiation increases, up to the point that it is transformed into an unlimited body of absent and anonymous addressees in the case of generalized communication processes in complex societies. Under these conditions, the public is unified by the mass media on a national scale or even more globally. Irrespective of the form it takes, the public is crucial to democracy in so far as it possesses communicative power and a certain authority which are essential to the generation of the legitimacy of the formal decision-making system. While democratic opinion- and will-formation is an institutionalized process that goes far beyond the public, it is in a crucial respect dependent on an input from the informal communication or non-institutionalized spontaneous opinion-formation of the public located on the periphery. This process starts with the perception, identification and thematization of a collective problem, and is continued with the insertion of the concomitantly formed informal opinions into public communication. In this context, political actors, actors representing their own interests (e.g. industry) and actors representing the public (e.g. associations, movements, churches, etc.) take part in a controversy in the public sphere in which they struggle over political influence over what is collectively accepted as valid. While this controversy follows a collective communicative practise structured by rules, the public is of particular importance in this communicative conflict since its authority, represented by its resonance, approval, agreement or lack of it, is decisive in determining the collective definition of the problem at issue as well as which actors' influence will count in the formal decision-making process. The public opinion eventually resulting from the collective communicative and discursive working through of the available proposals, information and reasons in a more or less rational way, finally delineates the manoeuvre space of the formal decision-making system and indicates the direction to be taken.

It should be emphasized that this outline of Habermas' position on the public has been arrived at by bringing together a series of isolated statements that he made in the course of an extended, largely descriptive account of the role of civil society and the political public sphere in democratic processes within constitutional states. As is clear, it contains very important insights about the constitutive sense of the public within the public sphere and of its authority in the process of public opinion- and will-formation. Yet these insights are neither developed nor integrated in a systematic way into the overall account offered in Between Facts and Norms. So, for instance, it cannot be said that Habermas presents an analysis in which the public is given its rightful role. Nowhere does he allow it to come in between the participants in public controversy or discourse, on the one hand, and the sphere of validity which they activate through their communicative action in the public sphere, on the other. Neither its constitutive role nor its authority leaves any trace whatsoever on the recognition and acceptance of the validity claims advanced by the various participants in public communication. At no point do validity and the communicative power of the public

meet and become interconnected so as to form what is collectively accepted. In effect, the public does not have any significant role to play in Habermas' overall analysis. For this reason, it could with justification be said to be missing. Although he grants that, as against the idealizations built into language, we have to reckon with "the world we know", with "the facticity of a world…that is differently organized" (1997, p. 325, tanslation modified), his major tendency is nevertheless to argue in favour of the efficacy of these idealizations and their direct translatability into social order (1997, p. 17). Although he admits that public opinion results from a collective practice interrelating institutionalized and non-institutionalized communicative processes in which proposals, information and reasons are collectively worked through in a "more or less rational" (1997, p. 362) - i.e., a not entirely rational - way, he is nevertheless inclined to proceed as though communication processes to which the role of the public is central can be approached in terms of the final consensus - envisaged from the moral point of view - they presuppose. The leading image of his most recent major work, the Kantian-Rousseauian model of "self-legislation" asserting an identity between the author and the addressee of the law (1997, pp. 33, 38, 104, 120, 126, 408, 417), together with the numerous argumentative conclusions drawn from it, is sufficient to show that Habermas has in mind a solution to the problem of double contingency that precludes the unpredictability and instability associated with triple contingency. That the complaint sounded here is not simply an empiricist one calling for a focus on facticity is made clear in the following paragraphs.

The main thrust of Die Einbeziehung des Anderen, at least of the most substantial essays from the collection, turns on what Habermas calls "the third perspective" (1996, pp. 108-111; see also pp. 15, 106, 114, 120, 122, 125). Also here a careful study of the material reveals difficulties similar to those noted above, but in this context they take on shape around the question of the precise location of the third perspective. Habermas describes the third point of view as "a perspective which is located in society itself" (p. 122). It is an inner-worldly remainder in everyday moral intuitions of the transcendent point of view of God which was lost when the religious world view broke down in favour of the proliferation of cultural models in pluralistic societies. As such it represents something like a "transcendence from within" (p. 16; see also Habermas 1997, p. 17). Forming part of an immanent communication structure, it is a "public, intersubjectively shared perspective" (p. 106), the perspective "from which we, the citizens, collectively and publicly deliberate about what is in the best interest of everyone" (p. 109). It is the perspective that "the members of post-traditional societies themselves intuitively assume when the only option left to them in the face of problematic basic moral norms is to fall back upon rational grounds" (p. 15). He also describes it as "a social perspective" (p. 39) which is embedded in the intersubjectively shared practical knowledge on which actors draw in the lifeworld. In a critique of John Rawls, he adds to this interpretation of the third point of view a surprizing twist - surprizing, because he takes a step beyond double contingency and effectively begins to formulate the problem of triple contingency. As against Rawls, who from his liberal position conceives of private individuals engaging in the public political use of reason and of letting their own particular motives count in the debate, Habermas takes a stance at the level of public communication as such in order to bring out the epistemic role of practical discourse (pp. 102-3, 114; see also pp. 15, 46, 60, 63). Private points of view, personal interests and values indeed enter discourse in the form of motives, but in the course of the process both their role and their meaning undergo a change. Something individual is transformed into something shared by all. Only in such a new form do motives acquire the epistemic status of rules or structures that possess the authority to regulate the situation at large. With this statement Habermas opens a vista on triple contingency - on the role not only of direct participants but in particular also of the public, on

an intersubjectively shared vocabulary for the translation of individual desires and preferences into something situationally meaningful and effective, on something collectively acceptable and collectively valid, and finally on situational epistemic structures in the form of rules or arguments regulating the situation in a generally acceptable way. But no sooner has he opened this vista than he turns away to follow his standard and by now characteristic path. Instead of maintaining a stereoscopic perspective, he casts the third perspective in the constraining mould of the philosopher's moral point of view and thus narrows it down to a one-dimensional construct that has little or nothing to do with the public. This is how he for the most part presents the third perspective.

The third perspective, in the sense of the moral point of view, is a reconstruction of the lost transcendent point of view of God or, rather, of the point of view intuitively taken by the members of post-traditional societies when they are faced with normative questions (pp. 15, 16, 38-9, 56, 122). In conflicts, for instance, people engage in practical discourses in which they struggle against one another with reasons, even though their common substantive background consensus has broken down (pp. 27, 56, 99). Moral philosophy, particularly in the discourse ethical variant Habermas represents together with Karl-Otto Apel,[8] starts with the members of society or the citizenry, particularly with their moral intuitions, and finds its own point of view already available among them, but it is only by painstaking reconstructive analysis that it is able to purify it in the form of the moral point of view. Reconstruction involves more than simply taking on board the prevalent convictions of a population or the already existing basic consensus in liberal societies. It requires the bringing to awareness of implicit or pre-theoretical practical knowledge already available in a cultural form and in social practices. What is brought to the fore are the form and the structure of perspectives of intact intersubjective communicative relations, the structure and procedures of a process by means of which generally acceptable norms can be discovered or constructed. This reconstruction is achieved by means of a reflexive exercise that proceeds in a critical manner. The result of such a reconstruction of the intuitive practical knowledge of the members of society is the moral point of view from which alone an impartial evaluation or judgement can be made of duties, norms, obligations and, more broadly, questions of justice (pp. 40, 48, 55, 102, 117, 120, 122). It is this point of view, which discourse ethics is designed to justify (pp. 56-64), that Habermas (pp. 96, 120) is convinced must be accepted by the members of society or the citizens to the exclusion or, at least, independent of their own particular world views if they were to arrive at a shared political conception and common standard of justice. The moral point of view, and it alone, possesses the necessary epistemic authority that makes it independent of particular points of view (p. 117). Habermas consistently maintains the primacy of the moral point of view understood in this sense, and equally consistently insists that the members of society or the citizenry must adopt this point of view so as to be able to organize their society in a reasonable way. Yet he is adamant that he does not entertain or perpetuate a philosophical paternalism (pp. 119, 122). This dementi is not convincing, however, and it will remain so until he revises that basic assumption of his which leads him to give priority to the moral philosophical third point of view to the exclusion of the third perspective of the members of society or the citizenry.

The basic assumption I have in mind is related generally to Habermas' indefatigable attempt to uncouple the moral point of view, which concerns the horizontal perspective in which interpersonal relations are regulated, from the ethical point of view, which concerns the vertical perspective of particular life styles and projects. More particularly, it is related to the concomitant argument that the abstract moral question transcends the context-bound ethical question (e.g. 1996, p 43). The assumption that Habermas makes here is that when the

members of society raise questions, they typically raise ethical questions, even when they could be expected to raise moral questions, and that if they at all raise moral questions, they do so in an intuitive, unreflective and uncritical way that requires philosophical leadership and correction. This is an untenable assumption[9] that leads Habermas astray, despite his laudable attempt to locate the third perspective in society itself. It misleads him not merely into underestimating the third perspective carried by the public but even into philosophically appropriating the latter to such as degree that it in effect is relegated to oblivion. These difficulties would seem, in turn, to be connected with a selective utilization of the structure of communication.

A characteristic argumentative strategy of Habermas is to draw on the structure of communication by way of the system of perspectives which is reflected in the different attitudes and personal pronouns. In these terms, he typically argues that the social world is accessible only from the performative perspective of the participants, while the objective world calls for description from the perspective of the observer (e.g.Habermas 1996, p. 55). To these two Habermas adds the third perspective which he regards as "an impartial perspective…[which]…transcends the participatory perspective of the citizens" in that it represents "a comprehensive, intersubjectively shared perspective" (1996, p. 120; see also pp. 106, 109). It is this perspective that he emphatically calls "the moral perspective" which is the preserve of a reconstructively proceeding moral philosophy. In his critique of Rawls, Habermas (1996, pp. 95-127) repeatedly attacks the American author's proposal to regard the citizens as assuming both a participatory perspective and an observer's perspective from which they respectively generalize their own positions and observe that others have done the same. His objection is that Rawls recognizes only two perspectives, while the third perspective still needs to be brought in. If one now recalls Habermas' own analysis of the structure of communication presented above, however, then the erroneous nature of this argument becomes apparent immediately. What is lacking in Habermas is the perspective of the public who is not directly participating but is rather observing what those participating at the time are saying and doing and who is simultaneously evaluatively responding in such a way that it provides the resonance essential to the establishment of public opinion and what is eventually accepted as collectively accepted. This is the social observer's perspective, This is what Rawls seems to be have in mind, rather than the neutral objectivist observer's perspective that Habermas suggests Rawls is working with.[10] It must be pointed out that the third point of view is not in addition to the participants' and the observer's perspectives, but in addition to the first person and the second person perspectives. Habermas obliterates the public and the third perspective it embodies by assimilating it at times to the participants, as when he thinks of all the citizens taking part in deliberation, and at other times to the philosopher's moral point of view, as when he thinks of the impartial point of view that transcends the participatory perspective of the citizenry. Also here in Habermas' very recent work, in which he explicitly attempts to locate the third point of view within society itself, there is no room for the public and its characteristic third, social observer's point of view. The irony is, however, that the philosopher's third perspective is a reconstruction of the public's point of view and, therefore, owes virtually everything to it.

What is put forward here is, of course, only a supporting argument for the main argument of the paper. The latter is that Habermas, in the most central core of his very significant contribution to sociological theory, crosses the path of the problem of triple contingency several times yet fails to recognize and to deal with it.

CONCLUSION

Habermas proceeds in both his major works of the last two decades containing his very considerable contribution to sociology from the theorem of double contingency which had been established by Mead and Schutz and formulated by Parsons. In fact, both The Theory of Communicative Action and Between Facts and Norms can be regarded as an attempt to clarify what the theoretical solution to the problem posed by the fact of double contingency must be if the sociologist were to be in a position to account for social order and hence for society. In the former work, the solution to the risk of dissension is conceived in terms of the communicative co-ordination of actions, and in the latter, where the tension between facticity and validity is seen as being superimposed on the primary risk of dissension and hence exacerbating it, the same theory is extended to law. In the case of both co-ordination and law, the solution is theoretically found in the moral dimension or the dimension of normative validity. The sustained attempt to find a solution to the risk of dissension in the realms of a sociological theory of order, and thus to pursue a classically posed problem, places Habermas among the neo-classical sociologists. The solution itself also resembles the proposal of a neo-classical predecessor. There indeed is a vast difference between Parsons' emphasis on cultural determination and Habermas' alternative of a common orientation to validity claims. But if one appreciates that the key interpretative factor is their common neo-Kantian attachment, then it becomes immediately clear that Habermas' solution is tantamount to Parsons' consensus displaced to a different, somewhat more fluid level. Behind the apparent fluidity of validity claims carried in communicative action, however, lurks the paternalistic philosopher preoccupied with validity in the form of the moral point of view. It is this position, entailing a rationalistic moral philosophical or moralistic fallacy, that prevents Habermas from recognizing and addressing the problem of triple contingency to which his work gives rise. It systematically leads him, while proceeding from double contingency, to jump too rapidly to the moral point of view to attend to the risk of dissension, thus overlooking the problem of triple contingency.

All along the path of the development of his core contribution to sociology, Habermas intermittently touches on the problem of triple contingency. In his analysis of double contingency, in the preparation of his own theoretical basis in the structure of communication, in his reformulation of double contingency and the elaboration of a solution to it, in his proposal to build validity claims as social fact into concrete contexts, in his analysis of the legally secured discursive process in contemporary democratic societies, in his attempt to clarify the precise location of the third point of view - in all these contexts, he on occasion presses beyond his well-entrenched position, only to withdraw to more familiar ground at that very moment that he is required to confront the problem of triple contingency. In more specific terms, this means that in his all too strong emphasis on the philosopher's moral point of view, he overwhelmingly tends to obliterate the role of the public as a vehicle of the third point of view and thus to arrest the dynamism, but also the unpredictability and instability, that the public brings into the communicatively deploying and discursively organized social process. As a neo-classical sociologist, Habermas may be seen as an historical figure among contemporary sociologists, but as a theorist whose work consistently points toward a problem he himself is unwilling or unable to deal with, he bequeaths a valuable asset to his successors. This is the problem of triple contingency.

As a contemporary sociological problem, triple contingency as such obviously requires basic theoretical attention, but there is also various other matters that need systematic work. The first is the role of the public in communications societies. Another related but broader question is the unpredictable and unstable process in which what is collectively accepted as

valid actually becomes established, what the role of the public is in this, and how this occurs. An important part of this work involves the detailed investigation of particular discursive situational structures or the cognitive, knowledge or epistemic structures operating in discursive situations. Instead of contenting oneself with establishing that morality has a cognitive quality or that moral statements express knowledge (e.g. Habermas 1996, p. 11), it is essential to investigate precisely what this quality entails or what this knowledge is. Instead of asserting the "epistemic core of normative validity" (Habermas 1996, p. 15) from a philosophically conceived third point of view, a study of these epistemic structures needs to be conducted from a social scientifically conceived third point of view. A phenomenological analysis of the content people associate with their own moral statements in conflict situations (Habermas 1996, p. 11) will not be sufficient. It demands that situational structures be much more broadly considered in their manifestation as at one and the same time micro and macro phenomena, as at one and the same time in people's statements, in social practices and in cultural models. If the third point of view, for instance, is studied sociologically in the form of such situational structures, then the moral point of view can be directly related to the role of the public in communication societies without a loss of its epistemic core. Perhaps the most challenging aspect of the task implied by triple contingency, however, will be to reconstruct the evolution of such discursive situational structures according to the new concept of evolution that is emerging in the wake of the exposure of the fallacious nature of Habermas' developmental logical theory of evolution (Strydom 1992, 1993).

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NOTES

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1 For the purposes of this paper, however, I make use of the 1997 edition of Between Facts and Norms.
2 While I borrow the concept of triple contingency from Eder and Schmidtke (1997, p. 17) who link "eine dreifache Kontingenz" to the role of the observer of interaction neglected in classical action theory, I propose to develop it in relation to the role of the public in communication societies. On this proposal, see Strydom (1999). I disagree with their judgement, however, that Luhmann's systems theory covers the problem of observation adequately.
3 An explanation for Parsons' reluctance to mention Schutz might perhaps be found in the misunderstanding that dogged their relationship. See Grathoff (1978).
4 Although not mentioned it explicitly, Habermas deals extensively and in detail with the concept of double contingency, both in his analysis of Mead's different versions and in his own proposal (Habermas 1987, pp. 8-9, 11, 13, 26, 35-6, 58-9).
5 For his earlier analysis of Mead, see Habermas (1988, pp. 63-66).
6 For his earlier analysis of Schutz, see Habermas (1988, pp. 106-9).
7 Here I have in mind the role that the public today plays in communication societies.
8 The difference between Apel and Habermas is that while Apel insists that he is a transcendental philosopher (personal communication, Niedernhausen, Germany, June 20, 1998), Habermas is critical of so-called "foundationalism" and seeks to accommodate the different perspectives of both the philosopher and the social scientist. In Between Facts and Norms (1997, pp. 6-7) he tries to make a virtue if this, although his characteristic emphasis is nevertheless conceptual and normative.
9 It is untenable at least in so far as it is given a stronger form than is required to justify engagement in intellectual work.
10 My argument, however, is not intended to be read as being in favour of Rawls instead.