

The Vulnerable Dynamics of Discourse

PAUL GILADI AND DANIELLE PETHERBRIDGE

Abstract

In this paper, we offer some compelling reasons to think that issues relating to vulnerability play a significant – albeit thus far underacknowledged – role in Jürgen Habermas's notions of communicative action and discourse. We shall argue that the basic notions of discourse and communicative action presuppose a robust conception of vulnerability and that recognising vulnerability is essential for (i) making sense of the social character of knowledge, on the epistemic side of things, and for (ii) making sense of the possibility of deliberative democracy, on the political side of things. Our paper is divided into four principal sections. In Section 1, we provide a basic outline of Habermas on communicative action and discourse. In Section 2, we develop an account of vulnerability and communication in the context of speaker/hearer relations. We specifically focus on distorted communication, vulnerability and speech. In Section 3, we focus on elaborating epistemic pathologies in the context of epistemic oppression and testimonial injustice. In Section 4, we focus on explaining how Habermasian resources contribute to vulnerability theory, and how introducing vulnerability theory to Habermas broadens or deepens his theory of communication action and his discourse ethics theory.

I have spread my dreams under your feet; Tread softly because you tread on my dreams
W.B. Yeats

1. Communicative Action and Discourse

Jürgen Habermas places significant philosophical as well as socio-political emphasis on the intrinsically *social* character of language: meaning, normativity, and knowledge are mediated by practices that are rooted in *communicative action*.¹ For Habermas, communicative action is the type of action aimed at establishing *consensus* (i.e. mutual understanding) through the agonistic establishment of legitimate and valid norms for persons (i.e. language-using individuals). As Habermas frames it:

¹ By 'normativity', we mean the general idea of obligations, justifications, and values.

44 The concept of communicative action presupposes language as
45 the medium for a kind of reaching understanding, in the course
46 of which the participants, through relating to a world, reciprocally
47 raise validity claims that can be accepted or contested.
48 (Habermas, 1984, p. 99)

49 Communicative action is not modelled on any kind of instrumenta-
50 lised subject-object relationship and means-end framework. This is
51 because communicative action is the variety of activity constituted
52 by one of our knowledge-constitutive interests,² namely *communicative*
53 interests: the function of communicative action is to *interpret* and to
54 bring about the intelligibility of concepts such as justice and goodness
55 under *public* reason. Communicative action, therefore, is directed at
56 ends-in-themselves and to realising an intersubjective relationship
57 between agents as much as possible. Specifically, the norms structur-
58 ing communicative action simultaneously concern three different
59 kinds of validity claims – a) claims to truth; b) claims to sincerity
60 (truthfulness), and c) claims to normative rightness.³ Tracing his
61 intellectual lineage to Fichte’s theory of recognition,⁴ G.H. Mead’s
62 pragmatist social psychology, and J.L. Austin’s speech act theory,
63 Habermas’s theory of communicative action draws on the following
64 claims from Fichte, Mead, and Austin respectively.

65 On the Fichtean side of things, the ‘I’ must ‘posit’ (*Setzen*) itself as
66 an individual for the ‘I’ to be an individual. In order to posit itself as
67 an individual, the ‘I’ must recognise itself as ‘summoned’ by another
68 individual. The summons (*Aufforderung*)⁵ of another individual
69

70 ² Viz. Habermas (1973, p. 196; p. 308).

71 ³ By ‘normative rightness’, we take Habermas to refer to intersubjectively
72 and communicatively constituted forms of moral obligation and
73 value orientations.

74 ⁴ Crucially, what we have written here is not meant to either ignore or
75 downplay the significance of Hegel’s theory of recognition for Habermas’s
76 position. In his iconic essay ‘Labour and Interaction: Remarks on Hegel’s
77 Jena *Philosophy of Mind*’, Habermas identifies and lays out what he sees
78 as Hegel’s *better* conception of intersubjectivity than Fichte’s. From
79 Habermas’s perspective, given that Hegel – much like Fichte – articulates
80 the communicative normative content of modern ethical life in *metaphysical*
81 ways, neglecting the *pragmatic* dimensions of language-use and communica-
82 tion, Hegel, at best, multiplies beyond necessity his development of a proto-
83 form of communicative rationality and action. Habermas construes his own
84 postmetaphysical model as Hegelian without any ‘metaphysical mortgages’
(Habermas, 1987b, p. 316).

85 ⁵ *Aufforderung* ranges from ‘begging’ (*bitten*) to ‘demanding’
86 (*verlangen*).

The Vulnerable Dynamics of Discourse

limits the freedom of the 'I' out of respect for the freedom of the Other.⁶ Such a practice of *mutual recognition* between individuals is a necessary condition for the possibility of personhood. On the Meadian side of things, the practice of navigating one's way in a team/group by understanding the various roles and behavioural habits/associations of 'the generalised other' enables a person to develop self-consciousness, which involves the internalisation of socialising practices.⁷ Mead's well-known claim that individuation occurs through socialisation and his focus on both gestural and linguistic forms of interaction become central to Habermas's own theory. As Habermas writes:

I see the more far-reaching contribution of Mead in his having taken up themes [such] that ... individuation is pictured not as the self-realisation of an independently acting subject carried out in isolation and freedom but as a linguistically mediated process of socialisation ... Individuality forms itself in relations of intersubjective acknowledgement and of intersubjectively mediated self-understanding ... Mead will shift all fundamental philosophical concepts from the basis of consciousness to that of language. (Habermas, 1992, pp. 152–

8

53; p. 162)
In other words, Habermas contends that Mead is credited with the foundational insight that language-use involves norms requiring *discursive exchange*, a variety of an *I-thou* relation, rather than the I-hey and/or I-it relation, and that the most basic linguistic unit is 'the relationship between ego's speech-act and alter's taking a position' (Habermas, 1992, p. 163).

On the Austinian side of things, Habermas claims that 'a turn to the pragmatics of language ... concedes primacy to world-disclosing language – as the medium for the possibility of reaching understanding, for social cooperation ... – over world-generating subjectivity' (Habermas, 1992, p. 153).⁹ Briefly put, Austin details three varieties of speech-acts,¹⁰ where the latter two are especially relevant for our concerns and for making sense of Habermasian communication (and discourse):

– **Locutionary act:** uttering the literal meaning (*Bedeutung*) of a statement – i.e. stating the *pure semantic content* of a proposition.

⁶ Viz. FNR (p. 31). Cf. Wood (2016, p. 83).

⁷ Viz. MSS (p. 154).

⁸ Cf. Taylor (1987, p. 13).

⁹ See also Habermas (1984, pp. 288–95); Habermas (1998, pp. 66–88).

¹⁰ See Austin (1975).

130 E.g. 'It's rather nippy in Boston during winter' = 'it's very
131 cold in Boston during the winter months'

- 132 – **Illocutionary act:** the intended meaning (*Meinung*) of the speaker
133 in the utterance of a sentence, namely the assertive/directive/
134 commissive/expressive/declarative features of that sentence.

135 E.g. 'Jim, it's rather nippy in Boston during winter' = 'Jim,
136 please consider taking a down-coat with you when you travel to
137 Boston in the winter'.

- 138 – **Perlocutionary act:** the consequential effects of an illocution-
139 ary act.

140 E.g. After Sarah says 'It's rather nippy in Boston during
141 winter' to Jim, Jim takes a down-coat with them when they
142 travel to Boston in the winter.

143 Habermas himself identifies only illocutionary acts with commu-
144 nicative action, as, in his view, these acts are orientated to reaching
145 mutual understanding and, in turn, such understanding is linked
146 to reaching agreement and 'rationally motivated binding' or 'force'
147 (Habermas, 1984, p. 278). For Habermas, then, 'communicative
148 agreement has a rational basis [and] it cannot be imposed by either
149 party, whether instrumentally through intervention in the situation
150 directly or strategically through influencing the decisions of
151 opponents' (Habermas, 1984, p. 287). In illocutionary acts a
152 speaker partakes in communicative action *in* saying something such
153 that she lets a hearer know she wants to be understood, in a perlocu-
154 tionary act, the speaker aims to produce an effect *on* the hearer, and
155 'thereby brings about something in the world' (Habermas, 1984,
156 pp. 288–89). Thus, according to Habermas's view, perlocutionary
157 acts are associated with an intention and are considered a form of
158 goal-directed action more generally. In Habermas's schema, perlocu-
159 tionary acts then represent forms of strategic action given their intent
160 is to bring about some particular end, rather than merely a form of
161 communicative action directed toward mutual understanding.

162 Crucially, for Habermas, successful communication between
163 agents involves the hearer being able to *transparently (and non-coer-*
164 *cively)* grasp the reasons motivating the propositions put forward by
165 the speaker:
166

167 *We understand a speech act when we know what makes it acceptable.*

168 From the standpoint of the speaker, the conditions of acceptabil-
169 ity are identical to the conditions for his illocutionary success.

170 Acceptability is not defined here in an objectivistic sense, from
171 the perspective of an observer, but in the **performative attitude**
172

173 **of a participant in communication.** (Habermas, 1984,
174 pp. 297–98; emphasis added)

175 The pragmatics of language do not only reveal how individuality is
176 mediated through a complex process of socialisation. Rather, illocutionary
177 acts also point to *democratic potentialities*. This is because
178 ‘[w]henver the speaker enters into an interpersonal relationship
179 with a hearer, he also relates himself as an actor to a network of normative
180 expectations’ (Habermas, 1992, p. 190). Linguistic practice
181 involves not just grasping the norms of assertion,¹¹ it also involves,
182 to use Wilfrid Sellars’s expression, knowing how to move in the
183 *space of reasons*.¹² Successful navigation in the space of reasons
184 requires grasping the plurality of communicative inferential commitments
185 and entitlements one has in the *use* of words.

186 Importantly, as mentioned above, for Habermas, the norms structuring
187 communicative action simultaneously concern three different
188 kinds of validity claims – claims to truth; claims to sincerity (truthfulness);
189 claims to normative rightness –, which directly correspond to
190 three different kinds of formal ‘world’:
191

192 [I]n communicative action a speaker selects a comprehensible
193 linguistic expression only in order to come to an understanding
194 *with* a hearer *about* something and thereby to make *himself* understandable.
195 It belongs to the communicative intent of the speaker
196 (a) that he perform a speech act that is right in respect to the given
197 normative context, so that between him and the hearer an intersubjective
198 relation will come about which is recognised as legitimate; (b) that he make
199 a true statement ..., so that the hearer will accept and share the knowledge
200 of the speaker; and (c) that he express truthfully his beliefs, intentions,
201 feelings, desires, and the like, so that the hearer will give credence to
202 what is said. (Habermas, 1992, pp. 307–308)
203

204 By engaging in illocutionary speech-acts – the ‘bread and butter’ linguistic
205 practices of communicative action – (i) the intentional content of a speaker’s
206 propositions – i.e. to what the speaker is referring when they say things –
207 is automatically directed to a *shared world* of agents. By virtue of, saying
208 ‘please consider’, for example, the speaker is ‘attempting to establish an
209 interpersonal relation which the hearer will recognise as legitimate’ (Niemi,
210 2005, p. 230); (ii) what the speaker is referring to in practices of
211 communicative action is an *accessible*,
212

214 ¹¹ Viz. Grice (1975, pp. 26–30).

215 ¹² Viz. Sellars (1991, p. 169).

216 *objective world*; (iii) the speaker, just by virtue of performing an illo-
217 cutionary speech-act ('Jim, you should seriously consider taking a
218 down-coat with you when you travel to Boston in the winter')
219 reveals a *subjective world* to the hearer. If Jim is to *genuinely* under-
220 stand Sarah's advice, they must understand what it would mean to
221 action her advice as well as understand that accepting Sarah's
222 speech then commits them to take a down-coat with them when
223 they travel to Boston in the winter.

224 Crucially, the emphasis on communication transforms the subject
225 of experience from being voyeuristic to actively engaged. Habermas's
226 position is, thus, allied with Kant's notion of *pragmatic anthropology*,
227 which draws a distinction between *die Welt kennen* and *Welt haben*:
228 'the expressions "to know the world" and "to have the world" are
229 rather far from each other in their meaning, since one only *under-*
230 *stands* the play that one has watched, while the other has *participated*
231 *in it*' (APPV, [120], p. 4). This empowers human beings by regarding
232 their communicative practices as authoritative, since it is only
233 through successful discursive exchanges that one can meaningfully
234 develop notions of *autonomy* and *respect*. As such, for a practical rela-
235 tion-to-self to be healthy requires *progressive* intersubjective rela-
236 tions, ones which engender and sustain autonomy and respect.

237 On the corresponding socio-political front, Habermas contends
238 that all social processes are assessed with respect to how well (or in-
239 variably not) they foster communicability and the development of
240 'discourse', namely *non-coercive* arenas for the agonistic, public use
241 of reason. As he writes, '[an] ego-identity can only stabilise itself in
242 the anticipation of symmetrical relations of unforced reciprocal rec-
243 ognition' (Habermas, 1992, p. 188). Democracy and communication
244 are necessarily tied together and *mutually supporting*: the failure to
245 develop communicative action is a barrier to democracy in the
246 public sphere, and the failure to develop democratic values is a
247 barrier to communicative action.

248 In Habermas's schema, when communicative practices fail or
249 break down, participants can turn to discourse. Discourse, for
250 Habermas, involves the public testing of claims to universal norma-
251 tive validity; as such, discourse is central to his modern critical
252 social theory, to the extent that his discourse theory is effectively
253 the rational reconstruction of Kant's moral theory implicitly embed-
254 ded in the theory of communicative action. For Habermas, discourse
255 comprises two key principles: the Discourse Principle (D) and the
256 Universalisation Principle (U).

257 (D) concerns '[j]ust those action norms are valid to which all
258 possibly affected persons could agree as participants in rational

The Vulnerable Dynamics of Discourse

discourses' (Habermas, 1992, p. 107). In other words, valid norms are not extra-human dictates handed down to us. Rather, valid norms are, to use Robert Brandom's expression, (Brandom, 2002, p. 216) – *outcomes* of communicative action established and sustained by agents' intersubjective practices. These social achievements get their *normative* purchase by virtue of being assented to and acknowledged by a community of agents. Crucially, though, the practice of assenting to and acknowledging normative constraints and normative entitlements comprises determining 'the precise content of those implicit norms ... through a 'process of *negotiation*' involving ourselves and those who attribute norms to us' (Houlgate, 2007, p. 139). By virtue of being a process of *negotiation*, norms are never *fixed* but always subject to 'further assessment, challenge, defence, and correction' (Brandom, 1994, p. 647).

(U) concerns the formal, pragmatic procedural justification of moral norms based on (D). In effect, Habermas construes (U) as the rational reconstruction of Kant's supreme principle of morality in the *Groundwork for the Metaphysics of Morals*. As he writes,

[t]he Categorical Imperative is always already in the background here: the form of a general law legitimates the distribution of liberties, because it implies that a given law has passed the universalisation test and been found worthy in the court of reason. (Habermas, 1996, p. 120)¹³

Crucially, the Kantian universalisation test aims to establish which maxims and interests pass deliberative discursive articulation and challenge such that those maxims and interests are objectively valid (or universally and equally binding for any rational agent). By extension, democracy, for Habermas, is a constitutional state model structured in accordance with the principles of communicative action and discourse: the laws of a democratic constitutional state are legitimate insofar as we arrive at them through *discursive practices* that are wholly intersubjective and inclusive, since society can only be integrated peacefully in the long-run if social integration involves communicative action and discourse.¹⁴

In what immediately follows, we examine the vulnerability of speaking and communicating subjects in light of issues raised or neglected by Habermas's account of communicative action. We take vulnerability to be understood as a multifaceted concept, one that generally refers to our interdependence as human beings. Here

¹³ See also Habermas (1996, p. 153).

¹⁴ Viz. Habermas (2001).

vulnerability is understood to be a shared constitutive condition that evokes our needful openness to others and the open-ended nature of the human condition; it therefore points to power, injury and suffering, as much as it does to forms of care, social (inter)action and cooperation.¹⁵ For our purposes, the notion of vulnerability becomes even more salient when we examine the forms of reciprocity, responsiveness and interdependence that we argue underpin Habermas's account of language-use, discourse and communicative action.

2.1 Vulnerability and Communication

A number of interpreters have questioned whether Habermas's critical theory is up to the task of accounting for various forms of power and subordination even within the normative account of communicative action. We argue that an alternative way of considering these issues and Habermas's theory more generally, is through a consideration of the potential vulnerabilities associated with speech and communicative action, specifically those related to power, injury and harm.

Thomas McCarthy, Amy Allen, and Nancy Fraser, to name a few, have drawn attention to the inadequacy of Habermas's critical theory in terms of accounting for forms of injury and harm associated with racial and gender subordination, for example. As Allen puts it, one major concern is that 'communicative action screens power out of the lifeworld', and as a consequence, adequate consideration is not given to the forms of subordination that are 'reproduced in the lifeworld domains of culture, society and personality' (Allen, 2007, p. 641), forms that are subsequently replicated in speech acts. McCarthy suggests that the resources for tackling these issues might be more readily found in Habermas's early work, where he more fully considers 'the relation between power, social practices and subjectivity' (McCarthy, 2001, p. 654 [cited in Allen (2007)]), or patterns of socialisation that impact on forms of communicative interaction. However, when Habermas moves to advance a formal pragmatic analysis of communication as well as his later theory of discourse ethics, it seems these insights drop away.

¹⁵ This way of phrasing the point is in Petherbridge (2016; 2018); that work provides a fuller account of the material on vulnerability. Sections of the material presented here in sections two and four have also been explored in Petherbridge (2021), but in the context of exploring the notions of recognition and trust.

The Vulnerable Dynamics of Discourse

345 Following McCarthy's insights, Allen suggests that one of the key
346 problems for Habermas in the development of his formal pragmatics
347 and later theory of communicative action, is the lack of an account of
348 socialisation processes in the lifeworld that consequently adversely
349 impact upon his critical theory of communication. For our purposes,
350 this also points to one of the key sites of vulnerability in communica-
351 tive practices more generally. As we will discuss below, this is also
352 linked to a second but related form of vulnerability in speech prac-
353 tices, that is, the constitutive power of language in subject-formation,
354 as well as the inherently vulnerable dynamic between speaker and
355 hearer in speech acts.

356 Habermas's most developed attempt to address the problem of
357 power and subordination in relation to forms of communication,
358 can perhaps be found in his account of systematically distorted com-
359 munication. He briefly discusses this phenomenon in *The Theory of*
360 *Communicative Action Volume 1*, where he describes it as a form of
361 concealed strategic action. As mentioned above, Habermas claims
362 that perlocutionary acts represent forms of strategic action given
363 their intent is to bring about some particular end, rather than
364 merely a form of communicative action directed toward mutual
365 understanding. Habermas argues the following:

366 [systematically distorted] communication pathologies can be
367 conceived of as the result of a confusion between actions
368 orientated to reaching understanding and actions orientated to
369 success. In situations of concealed strategic action, at least one
370 of the parties behaves with an orientation to success, but leaves
371 others to believe that all the presuppositions of communicative
372 action are satisfied. This is the case of manipulation ... in connec-
373 tion with perlocutionary acts... [Furthermore,] [i]n such cases at
374 least one of the parties is deceiving himself about the fact that he
375 is acting with an attitude orientated to success and is only keeping
376 up the appearance of communicative action. (Habermas, 1984,
377 pp. 332–33)
378

379 In other texts, Habermas more directly links the problem of system-
380 atically distorted communication to the background context of the
381 lifeworld and the problem of individual development. As Allen
382 identifies, in his 'Reflections on Communicative Pathology' (1974),
383 Habermas examines the phenomena of systematically distorted com-
384 munication in regard to both the differentiation and connection
385 between 'the external organisation of speech – roughly, its social
386 context – and the internal organisation of speech – the universal
387 and necessary presuppositions of communication' (Allen, 2007,

388 p. 645). As Allen has argued, this means we might also need to take
389 account not only of systematically distorted communication but the
390 forms of distorted subjectivity that arise in individual development
391 that in turn impact on participants in communication.

392 For Habermas, though, the consequences of systematically dis-
393 torted communication refer not only the disruptive effect they have
394 on the social context in which speech acts take place, but also to the
395 very ‘validity basis of speech’ itself. In this sense, Allen notes ‘[c]om-
396 munication becomes systematically distorted when the external
397 organisation of speech is overburdened, and this burden is shifted
398 onto the internal organisation of speech’ (Ibid.). This dynamic,
399 however, occurs ‘surreptitiously’, in Habermas’s view, without
400 leading to a break in communication or to ‘openly declared ... stra-
401 tegic action’ (Habermas, 2001, p. 147 [cited in Allen (2007)]). The
402 validity basis of speech is disrupted if at least one of the three univer-
403 sal validity claims – truth, normative rightness or sincerity – are
404 violated even though communication nonetheless continues on the
405 ‘presumption’ of it being communicative action orientated to reach-
406 ing understanding, when in fact it conceals the speaker’s strategic
407 intent.

408 In this context, then, we suggest that Habermas’s discussion and
409 acknowledgement of the phenomena of systematically distorted
410 communication discloses the kinds of vulnerability inherent not
411 only in being a participant (speaker or hearer) in a speech act but
412 also to the vulnerability contained in communicative action
413 itself. This is the case both in relation to the vulnerabilities inher-
414 ent to the identity development of subjects who enter into commu-
415 nicative acts such that the organisation of the social context
416 impacts on the internal organisation of speech, but also to the vul-
417 nerability and unpredictability that might play out in speech acts
418 themselves.

419 As the discussion of systematically distorted communication
420 reveals, speech and communication are, then, subject to *at least* two
421 kinds of vulnerability. Communicative practices are subject to a
422 kind of vulnerability that is implicit to speech acts themselves, in
423 the sense that not only the social context in which speech acts take
424 place are vulnerable to relations of power relations, injury and
425 harm, *but the very validity of speech becomes vulnerable*. As we will
426 discuss further below, this is played out in the basic dynamics of
427 speech acts themselves, where there is a vulnerability embedded in
428 the basic relation between a speaker’s performance and a hearer’s
429 response, such that certain conditions enable or constrain speech acts
430 and are impacted upon by the ‘situated identities of the persons’

The Vulnerable Dynamics of Discourse

431 speaking and hearing.¹⁶ In this sense, as Allen suggests, ‘[w]hen
432 Habermas relates the concept of systematically distorted communication
433 to the formation of identity’ (Allen, 2007, p. 645), another
434 tension is revealed. This is because for Habermas, as for other critical
435 theorists such as Judith Butler and Axel Honneth, *identity is consti-*
436 *tuted through intersubjective recognition.*

437 However, as both Honneth and Butler reveal, the granting of
438 recognition is inherently vulnerable; the intersubjective basis of
439 subject-formation creates certain kinds of dependence on
440 others but there is no guarantee that recognition will be
441 forthcoming or when it might be withheld. As Habermas himself
442 identifies, this means that systematically distorted forms of identity
443 indicate ‘an asym-metrical distribution of power’, and this dynamic
444 is shifted onto the ‘internal structure of speech’ (Habermas,
445 2001, p. 147 [cited in Allen (2007)]). However, despite this
446 acknowledgment, Habermas does not give due consideration to the
447 way in which speech or language itself may also contribute to
448 distorted forms of identity (for example, through ‘interpellation’, as
449 Butler puts it).

450 In the preceding discussion, then, we have so far identified the fol-
451 lowing forms of vulnerability in relation to speech and communication:

- 452 1. The first manifestation of vulnerability is one associated with
453 identity-formation, which, for Habermas, can be understood
454 in terms of recognition. In this regard, we identified the way
455 in which socialisation processes and forms of power reproduced
456 in the lifeworld domains of culture, society and personality,
457 render subjects vulnerable to distorted forms of identity
458 which in turn impacts upon speech acts. This points not only
459 to the vulnerability associated with recognition as intrinsic to
460 subject-formation but to the constitutive power of language
461 in subject-formation.
- 462 2. Such distorted forms of identity-formation may in turn impact
463 upon the internal organisation of speech, leading to increased
464 vulnerability. This is not only the case in terms of the social
465 context in which particular speech acts take place but impacts
466 on the very validity of speech itself.
- 467 3. This may play out directly in speech acts and the vulnerability
468 associated with being a participant in communicative action, or
469 in terms of the uncertainty about whether one’s speech act is
470 successful or not. This form of vulnerability is inherent to

471
472 ¹⁶ Stawarska (2017, p. 185).

473 ¹⁷ See Butler (2004).

474 the relation between a speaker and listener, particularly in relation
475 to the dynamic between a speaker's performance and a
476 hearer's uptake.

477 We will now turn to a more detailed examination of the vulnerability
478 entailed in the dynamics of speech acts and the potential for disruption
479 or instability to the meaning and effect of such acts.
480

481
482 *2.2 The Vulnerability of Speech Acts: Speaker Performance and Hearer*
483 *Uptake*
484

485 As discussed above, Habermas draws on Austin's analysis of speech
486 acts in developing his account of communication and discourse,
487 where the account of illocutionary acts is central to the theory of communication
488 action (and the discourse theory of ethics). However, as
489 we also saw, vulnerabilities were also identified in relation to inequality
490 and power that distort the internal organisation of speech.
491

492 The interrelation between the performative nature of speech and inequality
493 has been more fully addressed by philosophers such as Jennifer
494 Hornsby and Rae Langton. Although these debates have seemingly not
495 included a discussion of vulnerability as inherent to speech acts, we
496 wish to draw attention here to this neglected aspect in the discourse
497 here. Hornsby and Langton have highlighted the way in which, as
498 speakers, certain people suffer what they term 'illocutionary silencing'.
499 As they put it, 'people are silenced when they are prevented from doing
500 certain illocutionary things with words. People who utter words but fail
501 to perform the illocution they intend may be silenced' and this produces
502 what they term 'illocutionary disablement'. In this scenario, a person's
503 speech maybe said to 'misfire' and a person 'is deprived of illocutionary
504 potential' (Hornsby and Langton, 1998, p. 21).

505 We would like to suggest that this kind of illocutionary silencing illustrates
506 the kinds of vulnerability inherent to speech acts, and by extension,
507 to communicative action. If there is uncertainty about whether a
508 speaker's speech may misfire or be taken-up by a hearer, this causes
509 certain vulnerabilities as a participant in communication. Here it is
510 worth examining the dynamics of the vulnerabilities associated with
511 illocutionary acts that Hornsby and Langton implicitly allude to in
512 terms of their account of illocutionary silencing in more detail.

513 In many respects, Hornsby and Langton's reading and development
514 of Austin's speech act theory accords with some of the basic interpretations
515 also offered by Habermas. Hornsby and Langton point
516 to the slightly unstable differentiation Austin marks out between

The Vulnerable Dynamics of Discourse

517 illocutionary and perlocutionary acts, which in regard to the former,
518 rest on ‘the saying of certain words such that, *in* saying those words
519 one performs an action’, whilst in contrast the latter refers to ‘the
520 saying of words, such that *by* saying those words other things are
521 done’ (Hornsby and Langton, 1998, p. 24). As Hornsby and
522 Langton remark (Ibid.), however, given that Austin ties illocutionary
523 acts to a hearer’s uptake, the outcome of the hearer’s responsivity
524 itself could be deemed a kind of consequence.

525 Nonetheless, like Habermas, Hornsby and Langton want to retain
526 a distinction between illocutionary and perlocutionary acts. This is
527 because, in their view, perlocutionary acts are not merely communi-
528 cative but, ‘introduce the idea of *extra-linguistic* or *incidental* conse-
529 quences of speaking’ (Ibid.), in other words, further actions follow
530 from such acts that are not attached to the conventions of speech
531 *per se*. Importantly, illocutionary speech acts are not only tied to,
532 what Austin terms, ‘felicity conditions’ associated with certain
533 formal conditions, conventions and institutions, such as an order,
534 request or proposal, that ensure the force of a speech act. They are
535 also related to certain conditions that involve ‘the institution of
536 language itself’ (Hornsby and Langton, 1998, p. 25). In this regard,
537 Hornsby and Langton point to the relation of recognition underlying
538 a speaker and hearer in speech acts and argue that ‘[b]y involving the
539 hearer as well as the speaker, illocutionary acts reveal language as
540 communicative’ (Ibid.).

541 In this sense, the success or otherwise of illocutionary acts relies
542 upon the hearer’s uptake but more generally also requires *mutual*
543 *reciprocity and receptiveness of uptake*. As they explain,

544 [u]ptake consists in the speaker being taken to be performing the
545 very illocutionary act that, in being so taken, she (the speaker) is
546 performing. Language use then relies in a mutual capacity for
547 uptake, which involves a minimal receptiveness on the part of
548 language users in the role of hearers. This minimal receptiveness
549 does not mean the hearer will agree, or is even capable of agree-
550 ing, with what a speaker is saying; but it does mean that a hearer
551 has a capacity to grasp what communicative act a speaker might
552 intend to perform. (Ibid.)
553

554 Ultimately, then, mutual reciprocity is required for a speaker’s utterance
555 to do the work it means to do, and this brings Hornsby and
556 Langton’s view close to the spirit of Habermas’s account.

557 However, in certain cases, this dynamic of illocutionary acts fails
558 because as Hornsby and Langton point out, certain sayings are un-
559 speakable for certain speakers. Some examples they give are, a man

560 who tries to marry by saying ‘I do’, only to discover the celebrant was
561 merely an unauthorised actor; or a woman living under Islamic law
562 who wishes to divorce her husband who utters the word ‘divorced’.
563 These examples represent what Hornsby and Langton refer to as
564 ‘illocutionary disablement’ (Hornsby and Langton, 1998, p. 26), in
565 which the saying of something misfires as the speaker does not
566 satisfy certain felicity conditions. Somewhat like Habermas,
567 Hornsby and Langton refer to the centrality of a hearer’s recognition
568 of a speaker’s intention in order for a speech act to be successful.
569 Furthermore, they also point to the importance of reciprocity for
570 such recognition conditions to be met. In their view, when reciprocity
571 is at work, a hearer recognises the speaker’s attempt to perform an
572 illocution, and the speaker’s attempt is performed. For example, in
573 the situation of an unwanted sexual advance, a speaker says ‘no’
574 and the hearer recognises this as a refusal.¹⁸ It is precisely when
575 this kind of reciprocity fails and a speaker’s illocution is not recog-
576 nised for what it is, that a speaker is exposed to a particular form of
577 vulnerability as she is unable to do things with words in the
578 manner of successful illocution.

579 In a related manner, Rebecca Kukla has also drawn attention to
580 the way in which a ‘speaker membership in an already disadvantaged
581 social group makes it difficult or impossible for her to employ
582 discursive conventions in the normal way, with the result that the
583 performative force of her utterances is distorted in ways that
584 enhance disadvantage’ (Kukla, 2014, p. 441).⁴⁹ However, Kukla
585 questions how convincing it is to maintain a strict differentiation
586 between illocutionary and perlocutionary acts. The argument is
587 that sometimes the full force or consequences of an illocutionary
588 act are not known or do not materialise in the act of speaking itself.
589 Rather, as Kukla points out, recognition of the Other as a speaker
590 as well as the form of responsiveness required for hearer uptake,
591 in their view, do not seem solely intrinsic to illocution but are a
592 perlocutionary effect.

593 The claim is that it is not really until people respond to a speech act
594 that it can be deemed fully completed. It is only at this point that the
595 effects of a speech act are really known, and in Kukla’s view, this
596 needs to be considered an ‘integral part of the entire context of the ut-
597 terance’ (Kukla, 2014, p. 454). In other words, various norms and
598 conventions contribute to determining not only whether a speaker
599 is entitled to speak, but ‘in placing that performance in social space
600

601 ¹⁸ Viz. Hornsby and Langton, 1998, pp. 27–28.

602 ⁴⁹ ~~Quill Kukla writes as Rebecca Kukla. See references for details.~~

The Vulnerable Dynamics of Discourse

603 after it is complete' (Kukla, 2014, p. 443). Moreover, certain sayings
604 or words might be 'out of one's control' and vulnerable to what Kukla
605 helpfully terms a form of '*discursive injustice*' (Kukla, 2014, p. 445;
606 441). As Kukla explains, '[v]ictims of discursive injustice are, in
607 virtue of their disadvantaged social identities, less able to skilfully ne-
608 gotiate and deploy discursive convention as tools for communication
609 and action than others' (Kukla, 2014, p. 445). In this regard, Kukla
610 draws attention not only to the recognition condition of a speech
611 act that underpins Hornsby and Langton's view of the necessity of
612 the recognition of a speaker's intention, but also to the impact such
613 an act has in social space more generally.²⁰

614 The types of illocutionary silencing that Hornsby and Langton
615 name, and the notion of discursive injustice that Kukla highlights,
616 not only demonstrate the vulnerability of speech and communication,
617 but also have affinities with forms of epistemic injustice and discurs-
618 ive abuse, as we will discuss in Section 3.

619 However, before discussing these connections, it is important to
620 consider the way in which a hearer might alternatively be vulnerable
621 to injury and harm by way of a speaker's illocution, such that the vul-
622 nerability of the hearer is enhanced rather than that of the speaker. As
623 Beata Stawarska suggests, a hearer's uptake not only enables a speech
624 act to function but also 'plays an active role in shaping power relations'
625 (Stawarska, 2017, p. 186), which points to the vulnerable dynamic in-
626 volved in unjust speech. On one side, as Stawarska argues, some
627 'sayings have the potential to produce massive harm' (Stawarska,
628 2017, p. 185) that may or may not be intended, and on the other
629 side, '[I]anguage users can re-shape the social world by being active lis-
630 teners to those who have historically been disempowered' (Stawarska,
631 2017, p. 186), and whose illocutions often remain unrecognised. As
632 Stawarska, suggests, 'we therefore need to expand the horizon' of com-
633 municative acts, 'to include the inherited social conditions of power
634 and the received histories of the said words and the situated identities
635 of the person's saying and hearing them' (Stawarska, 2017, p. 185).

636 Austin had already pointed to the way in which only those persons
637 delegated with authority could successfully perform certain illocu-
638 tionary acts, recognising that such authority whether celebrant or di-
639 vorcee, is underwritten by an entire social order. However, Stawarska
640 argues that historically disempowered or de-authorised groups can
641 also come to 'make words speak somewhat differently than they did
642 in the past' (Stawarska, 2017, p. 190). This requires recognising
643 that linguistic meanings and language use are themselves vulnerable
644

645 ²⁰ Viz. Kukla (2014, p. 444).

646 to change, in the sense that they have a certain ‘socially contingent
647 plasticity’ (Ibid.) that has the potential to rupture inherited and sedi-
648 mented meanings and usage.

649 There is, then, a two-pronged response to the phenomena of
650 disempowered communicative participants: (1) there is what
651 Stawarska, following Butler, refers to as the ‘transgressive recla-
652 mation of socially harmful speech’ by re-orientating the use and signi-
653 fication of certain words. In this manner, harmful or injurious speech
654 can be turned around such that it becomes ‘an empowering emanci-
655 patory practice’ (Ibid.). **This is the case with words such as ‘queer’ or**
656 **‘black’.** In such cases, subordinated groups are themselves ‘empow-
657 ered to negotiate what words signify and what effects they may
658 produce’ (Ibid.). Thus, where once the saying of particular words
659 might have been injurious, in the act of reclaiming them, disempow-
660 ered groups are able to re-orientate the meaning and the affects that
661 words produce in a self-affirming manner, and this also shifts the
662 authority problem in linguistic encounters.²¹ (2) Extending insights
663 from Hornsby and Langton, this shift not only requires an alteration
664 in terms of who has authority to speak, but also requires a form of
665 ‘active heeding’ that enables forms of ‘re-authorisation’ (Ibid.).
666 Thus, akin to Hornsby and Langton, as Stawarska argues, the
667 ‘process of re-authorisation vitally depends on cultivating a stance
668 of productive listening that empowers the utterance to become felicit-
669 ous by virtue of the recognition it bestows upon the speaker’
670 (Stawarska, 2017, p. 192).

671 Thus, the kind of vulnerability we wish to highlight is played out at
672 what Stawarska terms the ‘micro-level’ of linguistic encounters, and
673 this is particularly impacted by power relations between communica-
674 tive partners to interaction.²² The forms of vulnerability we refer to,
675 then, include not only forms of injury and harm that can be inflicted
676 through speech acts, but also the uncertainty and unpredictability of
677 the receptive uptake of a hearer to the illocutionary acts of subordi-
678 nated groups, as well as the vulnerability of the meaning of such
679 speech acts themselves, which might be resisted, reclaimed, and
680 negotiated.²³ Taking-up and extending the insights discussed above
681 in relation to the notions of illocutionary silencing and discursive
682 injustice, in what immediately follows, we focus on elaborating
683 epistemic pathologies in the context of epistemic oppression and
684 testimonial injustice.

686 ²¹ Viz. Stawarska (2017, p. 190).

687 ²² Viz. Stawarska (2017, p. 191).

688 ²³ See Stawarska (2017, p. 191).

3. Epistemic Pathologies: Epistemic Oppression & Testimonial Injustice

Epistemic oppression refers to, as Kristie Dotson writes, ‘a persistent and unwarranted infringement on the ability to utilise persuasively shared epistemic resources that hinders one’s contributions to knowledge production’ (Dotson, 2014, p. 115). According to Dotson, systemic practices of epistemic exclusion and oppression result in positions and communities that produce deficiencies in social knowledge, as evidenced by increasingly widespread, normalised virulent epistemic contempt for non-privileged groups. For example, distress at systemically reproduced institutional racism and police brutality is often dismissed, to the extent that the vocabulary of protest against racial oppression is viciously misrecognised to the point of erasure. As Robert Gooding-Williams writes, the reactionary view is ‘a failure to regard the speech or actions of black people as manifesting thoughtful judgements about issues that concern all members of the political community’ (Gooding-Williams, 2006, p. 14).

Black Lives Matter demonstrations typically involve the chant ‘Hands Up, Don’t Shoot!’, where marchers raise their hands above their heads while chanting, as part of the effort to explicitly challenge the reactionary socio-epistemic paradigms which construe antiracist protestors as public threats. To quote José Medina here, ‘[t]his slogan performatively challenges the misplaced presumption that demonstrators pose a threat to public order, interrogating the underlying narratives that depict them as such a threat, while invoking alternative images of peaceful expressions of group agency’ (Medina, 2018, p. 12). Furthermore, the chants ‘Whose streets? Our streets!’ and ‘No Justice, No Peace!’ are *deliberately* misinterpreted and misrecognised by reactionary groups to imply that the basic progressive claim ‘black lives matter’ is equivalent to ‘black lives matter more than white lives’. Crucially, this forms a significant part of the explanation for why #AllLivesMatter is in fact reactionary, since #AllLivesMatter reveals itself as ignorant of structural racism and systemic misrecognition.

Related to, but conceptually and politically distinct from the concept of epistemic oppression, which is principally concerned with endemic patterns of structural exploitation and domination of specific epistemic communities, is the concept of epistemic injustice. To quote Miranda Fricker, epistemic injustice arises when a person is ‘wronged in their capacity as a knower’ (Fricker, 2007, p. 20). Such wronging usually happens in *at least* two ways: (1) through testimonial injustice, which *typically* occurs when a speaker’s assertions are

732 given *less credibility* than they deserve because the hearer has preju-
733 dices about a social group of which the speaker is a member,²⁴
734 (2) through hermeneutical injustice, which occurs when there is a
735 gap in the collective interpretive resources of a given society that
736 leaves a marginalised and socially powerless group unable to properly
737 make sense of their social powerlessness. Crucially, the epistemic
738 pathologies of misrecognising or not recognising individual knowl-
739 edge-claims and/or social group knowledge-claims are particularly
740 vicious forms of humiliation, in that they are a ‘deformation of the
741 normal human capacity for the evaluative perception of others’
742 (Zurn, 2015, p. 101).

743 With regard to the kind of epistemic pathology of recognition in the
744 context of testimonial injustice, in particular (for our specific focus
745 here), it would be helpful to refer to Patricia Williams’s autobio-
746 graphical account of her experience of testimonial justice:

747 I was shopping in Soho [in Benetton’s] and saw a sweater that I
748 wanted to buy for my mother. I pressed my round brown face to
749 the window and my finger to the buzzer, seeking admittance. A
750 narrow-eyed, white teenager ... glared out, evaluating me for
751 signs that would pit me against the limits of his social under-
752 standing. After about five seconds, he mouthed ‘We’re closed’,
753 and blew pink rubber at me. It was two Saturdays before
754 Christmas, at one o’clock in the afternoon; there were several
755 white people in the store who appeared to be shopping for
756 things for *their* mothers. I was enraged ... In the flicker of his
757 judgemental grey eyes, that sales-child had transformed my
758 brightly sentimental, joy-to-the-world, pre-Christmas spree to
759 a shambles ... [H]is refusal to let me into the store ... was an
760 outward manifestation of his never having let someone like me
761 into the realm of his reality ... (Williams, 1991, pp. 44–56)

762 A rumour got started that the Benetton’s story wasn’t true, that
763 I had made it up, that it was a fantasy, a lie that was probably the
764 product of a diseased mind trying to make all white people feel
765 guilty. At this point I realised ... that the greater issue I had to
766 face was the overwhelming weight of a disbelief that goes
767 beyond mere disinclination to believe and becomes active sup-
768 pression of anything I might have to say. The greater problem
769 is a powerfully oppressive mechanism for denial of self-knowl-
770 edge and expression. And this denial cannot be separated from
771

772
773 ²⁴ See Davis (2016) and Giladi (forthcoming) for how credibility *excess*
774 is an act of epistemic injustice.

The Vulnerable Dynamics of Discourse

775 the simultaneously pathological willingness to believe certain
776 things about blacks – not believe them, but things *about* them.
777 (Ibid., p. 242)

778 In addition to being harmed by the salesperson's racism – Williams
779 was racially barred from entry and consequently could not participate
780 in the activity of buying Christmas presents for one's mother –
781 Williams suffered a distinct, further wrong by having her testimony
782 dismissed and not accorded serious communicative status.
783 Specifically, in the Habermasian sense of validity claims involved
784 with those speech acts conveying truthfulness and, above all, reveal-
785 ing and baring the *subjective world* of individual anxieties, hopes (and
786 the like) to one's listener(s), Williams, rather than automatically
787 receive the default level of epistemic respect, trust, and communica-
788 tive appreciation provided by the Acceptance Principle,²⁵ is not only
789 treated with epistemic scorn, she is also stripped of *any* normative au-
790 thority. She is deemed as someone who violates the communicative
791 norms of assertion. As such Williams's capacity for *speech* is violated
792 – where, crucially, speech involves the vulnerability that comes with
793 revealing oneself in the transparent communicative act of sharing
794 sincere propositional content for uptake by the listener. This is
795 why racism – at the epistemic level – is structured around the patho-
796 logical norm of believing untrue things about black people, rather
797 than believing black people about true things.

798 Testimonial injustice deprives Williams, a rational agent, of her
799 rightful place as someone moving in the communicative space of
800 reasons, and thereby leaves individuals like her who are systemically
801 prejudiced against in a state of self-alienation and double-conscious-
802 ness: Williams is forcibly alienated from her own speech and rationa-
803 lity, where these enable her to be a member of a community of
804 inquirers and reliable narrators. As part of her self-conscious identi-
805 fication with fellow African-Americans in an African-American com-
806 munity, Williams communicatively self-interprets and finds such
807 communicative action empowering. However, African-Americans
808 (and other people of colour), as part of a racist world, are met with ex-
809 ternal and hostile web of meanings that radically distort such uplift-
810 ing local self-conceptions. The power structure of racial oppression is
811 pervasive such that the experiential relation Williams has to herself
812 becomes distorted by how she views her agency from the perspective
813 of white prejudicial attitudes, which aim to rob her of her position as a
814 communicative subject, and instead treat her as an object of derision
815

816
817 ²⁵ See Burge (1993, p. 467).

818 and contempt. This is what we take her to mean when she argues that
819 ‘the greater problem is a powerfully oppressive mechanism for denial
820 of self-knowledge and expression’. Crucially, the asymmetrical
821 nature of the cognitive environment causes Williams to think and
822 feel that the space of reasons, where communicative practices derive
823 their sense of meaning and purpose, is not a space for *her*.

824 Given that epistemic oppression and testimonial injustice cause
825 one to be alienated from both their own communicative rationality
826 and from the speech-based practices which necessarily constitute dis-
827 course between peers, exclusion from the space of reasons amounts to
828 ‘discursive abuse’. The experience of discursive abuse ‘carries with it
829 the danger of an injury that can bring the identity of the person as a
830 whole to the point of collapse’ (Honneth, 1995, pp. 132–33), where
831 the identity under threat here is a person’s self-interpretation as *agen-*
832 *tial*,²⁶ since speech involves vulnerability with respect to revealing
833 oneself in the transparent, trusting communicative act of sharing
834 propositional content for uptake by the listener. To use Andrea
835 Lobb’s expression, the kind of ‘epistemic injury’ (Lobb, 2018, p. 1)
836 endured here can be made sense of in relation to what Richard
837 Rorty calls ‘mute despair’ and ‘intense mental pain’. For Rorty,
838 this notion of *agential pain* – the type of pain unique to agents

839 —reminds us that human beings who have been socialised ... can
840 all be given a special kind of pain: they can all be humiliated by the
841 forcible tearing down of the particular structures of language and
842 belief in which they were socialised (or which they pride them-
843 selves on having formed for themselves). (Rorty, 1989, p. 177)

845 The failure to properly recognise and accord somebody the epistemic
846 acknowledgement they merit is an act of abuse in the sense of forcibly
847 depriving individuals of a progressive *communicative* environment in
848 which the epistemic recognition accorded to them plays a significant
849 role in enabling and fostering their self-confidence as a *communicative*
850 agent. This includes:

- 851 i. External and forcible control over one’s own communicative
852 integrity.
- 853 ii. Violation of communicative integrity prevents one from
854 trusting others and one’s own capacities to the distressing
855 extent that victims internalise culpability.
- 856 iii. Discursive abuse represents a type of disrespect that does
857 lasting damage to one’s basic confidence that one can
858

859
860 ²⁶ Cf. Fricker (2007, p. 55).

The Vulnerable Dynamics of Discourse

861 autonomously coordinate one's own communicative claims
862 and even identify as a communicative subject or be recog-
863 nised as one.

864 Understood in this manner, there is compelling reason to see how all
865 three points above relate to the vulnerability associated with a) iden-
866 tity-formation, b) distorted identity-formation and the internal organ-
867 isation of speech, and c) being a participant in communicative action,
868 where c) especially concerns the dynamic between a speaker's perform-
869 ance and a hearer's uptake. Regressive recognition orders deliberately
870 exploit intersubjective vulnerability and pervert communicative dynam-
871 ics by making those excluded from the space of reasons think and feel as
872 though their rejection is entirely the result of their failings. Epistemic
873 oppression and systemic testimonial injustice permeate, to the extent
874 that individuals and/or social groups are made to blame themselves
875 for not being deemed worthy enough to be afforded credibility.²⁷
876

877 878 **4 Spreading One's Dreams at the Feet of the Other: Habermas** 879 **and the Fragility of Communicating Subjects** 880

881 The preceding discussion of illocutionary acts and silencing, as well
882 as discursive injustice and abuse, raises questions about the neglected
883 element of vulnerability inherent in being a participant in speech acts
884 and more fully in communicative action. In turn, the vulnerability of
885 participants in communicative action, flows through to the vulner-
886 ability of persons as knowers and participants in the space of
887 reasons. What, then, do we draw from the above discussion in
888 regard to the interrelation between vulnerability, speech and commu-
889 nication as it pertains to Habermas's work? In what follows, we con-
890 clude by considering, on the one hand, the manner in which an
891 account of vulnerability enriches Habermas's overly formal notions
892 of communicative action and discourse; on the other, we examine
893 the ways in which Habermas's own account of communicative
894 action is already oriented towards the vulnerability of speaking
895 agents. This is evinced not only through the rules of communication
896 and discourse that he goes to such lengths to construct, but also in
897 claims he makes in regard to moral intuitions and discourse ethics.

898 As we have seen, Habermas builds an account of normativity and
899 recognition into his theory of communicative action and discourse.
900

901
902 ²⁷ For previous articulations of these points in section three, see Giladi
903 (2018, 2020).

904 Implicitly, the formal structure of Habermas's theory of discourse
905 and notion of the 'ideal speech situation', already acknowledges the
906 vulnerability of speaking agents by providing measures aimed to
907 protect persons in the realm of communicative action. His account
908 of language-use points to what he regards as our primordial *inter-*
909 *dependence* as language-users and the basic uncertainty of this en-
910 *deavour*. The account of the ideal speech situation makes a claim
911 for equality of speaking-agents by having the opportunity to speak
912 and to express one's viewpoint *without coercion or interference*.
913 Moreover, Habermas argues for the need for free and equal argumen-
914 *tation* and the use of reason in practical discourse, with the view to
915 reaching mutual understanding and fostering mutual cooperation.
916 However, he does not assume this process is seamless. Rather, he
917 points to the fragilities and uncertainties of communicative
918 freedom that arise with modernity due to particular developmental
919 logics or dynamics (the decoupling of 'Lifeworld' and 'System'²⁸),
920 which in turn impact upon the internal structure of communicative
921 action and the potential for rationality.

922 Notably, Habermas explicitly ties his account of discourse to a
923 notion of vulnerability in texts such as *Moral Consciousness and*
924 *Communicative Action*. In this text, he restates that '[a]rgumentation
925 insures that all concerned in principle take part, freely and equally, in
926 a cooperative search for truth, where nothing coerces anyone except
927 the force of the better argument' (Habermas, 1990, p. 198).
928 However, what is significant in this account is that Habermas also
929 makes clear the anthropological claim underlying his discursive ap-
930 *proach* as it pertains to moral intuitions. As he writes:

931 Moral intuitions are intuitions that instruct us on how best to
932 behave in situations where is it in our power to counteract the
933 extreme vulnerability of others by being thoughtful and consid-
934 *erate*. In anthropological terms, morality is a safety device com-
935 *pensating* for a vulnerability built into the sociocultural form of
936 *life*. (Habermas, 1990, p. 199)

938 Here, it might be suggested, that Habermas makes clear that his
939 theory of communicative action is in fact underpinned by a constitu-
940 *tive* notion of vulnerability that is inherent to every social and
941

942 ²⁸ Habermas makes a distinction between what he terms the 'Lifeworld',
943 which refers the normatively underpinned public sphere as well as the private
944 sphere of family life, in contrast to what he terms 'System', which includes the
945 State and the activities of market capitalism steered by purely formal or
946 instrumental mechanisms. See Habermas (1987a).

The Vulnerable Dynamics of Discourse

947 intersubjective context. It also brings Habermas within the vicinity
948 of other vulnerability theorists when he ties this notion of vulnerabil-
949 ity to our constitutive interdependence as human beings and to forms
950 of subject-formation dependent upon recognition from others. For,
951 as he states: '[t]he more the subject becomes individuated, the more he
952 becomes entangled in a densely woven fabric of mutual recognition,
953 that is, of reciprocal exposedness and vulnerability' (Habermas, 1990,
954 p. 199).

955 In Habermas's view, then, moralities address or respond to what he
956 terms the 'fragility of human beings individuated through socialisa-
957 tion' (Habermas, 1990, p. 200). But the protection of these fragilities
958 requires a two-pronged approach that safeguards not only the indi-
959 vidual subject but also the community in which that subject is em-
960 bedded in a web of 'intersubjective relations of recognition' (Ibid.).
961 These two elements point to two related principles that Habermas
962 terms 'justice' and 'solidarity', and as he sees it, both principles
963 are rooted in 'the specific vulnerability of the human species, which in-
964 dividuates itself through sociation' (Ibid.). In this respect, we argue
965 that Habermas's theory should be taken seriously as a contribution
966 to the discourse on vulnerability, particularly as it pertains to the ne-
967 glected elements of speech and communication. In the essay
968 'Morality and Ethical Life', he even goes so far to say that 'linguistic-
969 ally mediated interaction, *is both the reason for the vulnerability of*
970 *socialised individuals and the key resource they possess to compensate*
971 *for that vulnerability'* (Habermas, 1990, p. 201). It is clear, then,
972 that Habermas acknowledges that forms of vulnerability are inherent
973 to speech and linguistically mediated interaction as well as to individ-
974 ual subject-development.

975 However, despite this anthropological claim in regard to linguistic
976 forms of vulnerability, the way in which Habermas addresses this
977 issue is ironically conceptualised at a rather formal and abstract
978 level. As a consequence, he does not take adequate account of the
979 more embodied, pre-reflexive and affective forms of interaction that
980 characterise much of the literature in vulnerability theory. Indeed,
981 even in his early work, Habermas's theory is based on the assumption
982 that certain procedural rules are always already presupposed by
983 human discourse and that these rules can be drawn on to validate
984 moral principles, and thus normatively justify social interaction.
985 Under this schema, rational consensus presupposes an ideal speech
986 situation as a kind of meta-norm, a situation that significantly
987 assumes a kind of symmetry and reciprocity, requiring all partici-
988 pants to adopt the standpoint of the 'generalised other'. In assuming
989 this standpoint, though, participants must abstract from their

990 individuality and concrete identity, thereby leaving behind their
991 private and particular affiliations, and the specific social context in
992 which they are embedded.²⁹ Through such a principle, Habermas
993 suggests a rational consensus can be achieved in the context of con-
994 flicting opinions and interests *regardless* of differing traditions, cul-
995 tural perspectives, or individual life-histories.

996 In order to make this claim, though, Habermas's moral theory
997 relies upon a distinction he makes between *issues of justice* (morality)
998 and *questions of the good life* (ethics), based upon a postmetaphysical
999 argument shared with John Rawls's liberal egalitarianism (1971;
1000 1985) that ontological questions must be separated from practical
1001 matters if the universalist normative presuppositions of communica-
1002 tive rationality are to succeed. In this respect, in Habermas's view,
1003 moral judgements are concerned only with right or just action, not
1004 with substantive values of the good or characteristics that pertain to
1005 individual needs and identities; only claims about rightness and
1006 just action are considered to provide norms that are obligatory for
1007 all persons universally and equally.³⁰ As a consequence, Habermas
1008 concludes that moral-practical dilemmas can be resolved on the
1009 basis of a universal sense of communicative reason, whereas questions
1010 relating to ethical identities can only be considered in terms of the
1011 ethical values within a particular form of life.

1012 However, as Honneth, for example, has argued, normative claims
1013 are experienced and articulated by people in *everyday life* as distur-
1014 bances that may, or may not, make mutual recognition possible
1015 *prior* to them reaching the level of discourse. These disturbances
1016 may therefore disclose the *processes* through which recognition is,
1017 or is not, achieved prior to the articulation of moral norms.
1018 Consequently, these are processes and conditions that individuals
1019 must feel are safeguarded even before they can attain the competency
1020 considered necessary by a theory of discourse ethics. In this respect,
1021 then, the Habermasian form of moral reasoning, as the impartial
1022 application of general principles, describes a restricted field of
1023 moral life concerned with public institutional forms of morality,
1024 but which, ironically ignore everyday motivational contexts despite
1025 their explicitly pragmatic orientation.³¹ The universalist principle
1026 of Habermas's discourse ethics demands from interaction partners
1027

1028 ²⁹ See Benhabib (1986). For a full account of the argument outlined
1029 here, see Petherbridge (2013).

1030 ³⁰ See Rehg (1994).

1031 ³¹ Viz. Honneth (1995). See also Petherbridge (2013) a full account of
1032 this argument.

The Vulnerable Dynamics of Discourse

1033 a willingness and refined ability to enable consideration of normative
1034 questions from a generalised standpoint whilst leaving aside their
1035 concrete relations with others in everyday experience.³² However,
1036 such claims address dilemmas in social life that are not located at
1037 the abstract level of universalisation, but at the concrete level at
1038 which everyday forms of conflict occur. The proceduralism of
1039 Habermas's discourse theory and his overly formal account of lin-
1040 guistic action, therefore, means it is difficult to theorise how the
1041 *initial feelings of injury that motivate moral claims are converted into*
1042 *propositional attitudes (articulated linguistic claims) in the first place.*

1043 As the above discussion of Allen revealed, it is then not only a matter
1044 of identifying forms of systematically distorted communication but
1045 equally forms of systematically distorted identity-formation that
1046 impact upon forms of communication. Thus, as Honneth and Allen
1047 have noted, normative criteria must not only be concerned with the
1048 intersubjective presuppositions of language but also the intersubject-
1049 ive presuppositions of human identity development that impact upon
1050 speech, communication, and the social scaffolding of the knower.
1051 Moreover, as Honneth identifies, Habermas's theory is also suscep-
1052 tible to the 'cultural exclusion' of oppressed social classes from the ar-
1053 ticulation of claims of injustice in the public sphere. Honneth draws
1054 attention to the silencing of forms of moral conflict or social feelings
1055 of injustice, that as he expresses it in early work, 'lie behind the
1056 façade of late-capitalist integration' (Honneth, 1995, p. 207).

1057 This critique is aimed at Habermas's particular model of society
1058 and the public sphere, which unwittingly results in *the exclusion of*
1059 *certain voices and forms of moral protest from the public field of speech*
1060 *and communicative action*; in other words, Habermas's model fails
1061 to make sufficient sense of this type of discursive abuse, where such
1062 forms of discursive abuse reinforce the structural (epistemic) obsta-
1063 cles facing certain voices and forms of moral protest. These structural
1064 (epistemic) obstacles prevent certain voices and forms of moral
1065 protest from being publicly articulable and from becoming fully elab-
1066 orated moral claims (Honneth, 1995, p. 207; p. 209). In this
1067 manner, forms of exclusion are related to deprivation of 'linguistic
1068 and symbolic means' (Honneth, 1995, p. 213), and this creates not
1069 only misrecognition and silencing, but the invisibilisation of disad-
1070 vantaged groups. Indeed, what particularly motivates the inquiries
1071 of intersectional feminist epistemologists is precisely the focus on
1072 (i) the power dynamics of gender, race, class, sexuality, and disability;
1073 (ii) the role these dynamics of power play in the social conditions of
1074

1075 ³² Viz. Benhabib (1986, pp. 320–21).

1076 knowing; and (iii) the ways in which the structures of existing social
1077 institutions affect the actual practices of knowers. As indicated above,
1078 intersectional feminist epistemologists are particularly concerned
1079 with (i) how the normative space of reasons is organised; (ii) how
1080 one negotiates the normative space of reasons; and (iii) how one
1081 gets into normative space at all. To put this more simply, the overriding
1082 focus is critically uncovering the substantive link between various
1083 types of power relations and epistemic practices. Arguably, the
1084 central question is *'who gets to know things?'*.

1085 One problem, then, with Habermas's 'linguistification' of moral
1086 conflict and his account of justice, is that it potentially contributes
1087 to the very forms of silencing it seeks to overcome. This is due not
1088 only to the formal nature of his pragmatics but also implicit assumptions
1089 about the skills and capacities required for individuals and
1090 groups to enter into moral debate and discourse in the first place.
1091 Moreover, Habermas's account of communicative action and discourse
1092 relies upon certain democratic and discursively structured institutions
1093 and forms of political life. Here Habermas points to an important issue:
1094 communication free from power and distortion requires the establishment
1095 of robust modern democratic institutions, ones that are constituted through
1096 reciprocal relations and patterns of interaction. Such institutions must be
1097 underpinned by forms of reciprocal freedom that are grounded in relations
1098 of recognition. For such institutions to ensure forms of communicative
1099 action without coercion they must be immanently constituted from within
1100 the structure of recognition relations, or to put it another way, they must
1101 develop out of normative patterns of social interaction between
1102 social actors themselves in any given social context.³³

1104 Unfortunately, many existing modern institutions fall well short of
1105 the standards of Habermasian discourse and forms of recognition:
1106 they tend to have exclusionary epistemic habits and reveal a normalised
1107 contempt for non-privileged agents. To put this point more polemically,
1108 many existing modern institutions fail to be relational institutions, since
1109 they fail to promote practices of symmetrical recognition in communication;
1110 many institutions have substantive internal structural weaknesses; they
1111 often fail to encourage the quest for self-realisation and thereby leave
1112 people who are epistemically oppressed and marginalised in a constant
1113 state of alienation; many existing modern institutions, therefore, require
1114 radical change, rather than liberal tweaks. The goal of social critique,
1115 therefore, is to identify and shift unequal power relations that are
1116 directly responsible for

1118 ³³ See Honneth (2014).

The Vulnerable Dynamics of Discourse

1119 forms of suffering and alienation that are produced by marginalisa-
1120 tion and thereby further entrench forms of oppression.

1121 On this score, Habermas's theory offers insights into the ways in
1122 which such institutions might be structured democratically in a
1123 manner that enables equal participation in communicative inter-
1124 action. For, as Simone Chambers points out, in principle, discourse
1125 ethics combats the 'marketplace of ideas between elites in which in-
1126 terests and understandings compete with each other for domination'
1127 (Chambers, 1995, p. 176). Habermas's discourse theory (in principle)
1128 offers a model for mutual cooperation precisely *through* the acknowl-
1129 edgement of difference. These discursive spaces, however, can be
1130 opened up further by extending 'opportunities to participate, by in-
1131 cluding excluded voices, by democratising media access, by setting
1132 up 'town meetings', by politicising the depoliticised, by empowering
1133 the powerless, by decentralising decision-making ... and so on'
1134 (Chambers, 1995, pp. 176–77). These are all measures that might re-
1135 invigorate practices of discourse that are at the heart of Habermas's
1136 democratic project and address the fragilities associated not only
1137 with being a participant in communicative action but also inter-
1138 dependent subjects who rely upon recognition from others.

1139 For as we have argued, participants in communication lay them-
1140 selves bare in front of one another, and as Habermas suggests, there
1141 is an implicit trust built into communication that aims at reaching un-
1142 derstanding. By drawing attention to the structure of communication
1143 with respect to the subjective world, Habermas highlights the need
1144 for the recognition of the *intentions* of the speaker in acts of commu-
1145 nication. In doing so, he acknowledges the forms of interdependence,
1146 reciprocity and responsiveness that are intrinsic to vulnerability in a
1147 manner that might evoke an account of the intentions of the horizon-
1148 tally 'inclined', rather than vertically 'autonomous' speaker, to use
1149 Adriana Cavarero's terms.³⁴

1150 The desire to transform the practices of many existing modern in-
1151 stitutions by recognising and embracing vulnerability crucially reminds
1152 us of precisely what we owe to one another. As evoked by the passage
1153 from Yeats with which this paper began, as communicating subjects,
1154 we 'spread our dreams' before one another thereby placing our trust
1155 in the other's moral responsiveness. Acknowledging the vulnerable
1156 dynamics of discourse advances democratic forms of association by
1157 fostering the protection of the individual as well as 'the well-being
1158 of the community to which he [or she] belongs' (Habermas, 1990,
1159 p. 200). As Habermas writes in one of his more recognitive
1160

1161 ³⁴ See Cavarero (2016).

1162 moments, as ‘creatures’ constituted by ‘profound vulnerability’ we
1163 require communicative forms of moral attentiveness by which we
1164 can defend both ‘the integrity of the individual’ and preserve ‘the
1165 vital ties of mutual recognition through which individuals reciprocally
1166 stabilise their fragile identities’ (Habermas, 1990, p. 199;
1167 200). Embracing mutual vulnerability, then, has the potential to
1168 provide the indispensable symbolic and material space for bringing
1169 about a better world.

1170
1171 *Manchester Metropolitan University*

1172 *P.Giladi@mmu.ac.uk*

1173
1174 *University College Dublin*

1175 *danielle.petherbridge@ucd.ie*

1176
1177 **References**

- 1178
1179 Amy Allen, ‘Systematically Distorted Subjectivity? Habermas and
1180 the Critique of Power’, *Philosophy and Social Criticism* 33
1181 (2007), 641–50.
- 1182 J.L. Austin, *How to do Things with Words*, eds. J. O. Urmson and
1183 Marina Sbisa, 2nd Edition (Oxford: Oxford University Press,
1184 1975).
- 1185 Seyla Benhabib, ‘The Generalised and the Concrete Other: The
1186 Kohlberg-Gilligan Controversy’, *Praxis International* 5 (1986),
1187 402–424.
- 1188 Seyla Benhabib *Critique, Norm and Utopia: A Study of the*
1189 *Foundations of Critical Theory* (New York, Columbia University
1190 Press, 1986).
- 1191 Robert B. Brandom, *Making It Explicit: Reasoning, Representing, and*
1192 *Discursive Commitment*, (Cambridge, MA: Harvard University
1193 Press, 1994).
- 1194 Robert B. Brandom *Tales of the Mighty Dead: Historical Essays in the*
1195 *Metaphysics of Intentionality*, (Cambridge, MA: Harvard
1196 University Press, 2002).
- 1197 Tyler Burge, ‘Content Preservation’, *The Philosophical Review* 102
1198 (1993), 457–88.
- 1199 Judith Butler, *Precarious Life: The Powers of Mourning and Violence*
1200 (New York: Verso, 2004).
- 1201 Simone Chambers, ‘Feminist Discourse/Practical Discourse’ in
1202 *Feminists Read Habermas: Gendering the Subject of Discourse*, ed.
1203 Johanna Meehan (New York & London, Routledge, 1995).
- 1204

The Vulnerable Dynamics of Discourse

- 1205 Emmalou Davis, 'Typecasts, Tokens, and Spokespersons: A Case for
1206 Credibility Excess as Testimonial Injustice', *Hypatia* 31 (2016),
1207 485–501.
- 1208 Kristie Dotson, 'Conceptualising Epistemic Oppression', *Social*
1209 *Epistemology* 28 (2014), 115–38.
- 1210 J. G. Fichte, *Foundations of Natural Right*, ed. Frederick Neuhouser,
1211 trans. Michael Baur, (Cambridge: Cambridge University Press,
1212 2000).
- 1213 Miranda F. Fricker, *Epistemic Injustice: Power and the Ethics of*
1214 *Knowing* (Oxford: Oxford University Press, 2007).
- 1215 Paul Giladi, 'Epistemic Exploitation and Ideological Recognition', in
1216 *Epistemic Injustice and the Philosophy of Recognition*, eds.
1217 Paul Giladi and Nicola McMillan (New York: Routledge,
1218 forthcoming).
- 1219 Paul Giladi, 'Epistemic Injustice: A Role for Recognition?',
1220 *Philosophy & Social Criticism* 44 (2018), 141–158.
- 1221 Paul Giladi, 'The Agent in Pain: Alienation and Discursive Abuse',
1222 *International Journal of Philosophical Studies* 28 (2020), 692–712.
- 1223 Robert Gooding-Williams, *Look, a Negro!: Philosophical Essays on*
1224 *Race, Culture and Politics* (New York: Routledge, 2006).
- 1225 Paul H. Grice, 'Logic and Conversation', in *Syntax and Semantics 3:*
1226 *Speech Acts*, eds. Peter Cole and Jerry L. Morgan (New York:
1227 Academic Press, 1975).
- 1228 Jürgen Habermas, *Knowledge and Human Interests*, trans. J.
1229 J. Shapiro (Boston: Beacon Press, 1971).
- 1230 Jürgen Habermas *Theory and Practice*, trans. John Viertel
1231 (Cambridge: Polity Press, 1973).
- 1232 Jürgen Habermas *The Theory of Communicative Action: Volume One.*
1233 *Reason and the Rationalisation of Society*, trans.
1234 Thomas McCarthy (Beacon Press, Boston, 1984).
- 1235 Jürgen Habermas *The Theory of Communicative Action: Volume Two.*
1236 *Lifeworld and System: A Critique of Functionalist Reason* (Beacon
1237 Press, Boston, 1987a).
- 1238 Jürgen Habermas *The Philosophical Discourse of Modernity: Twelve*
1239 *Lectures*, trans. Frederick Lawrence (Cambridge: Polity Press,
1240 1987b).
- 1241 Jürgen Habermas 'Morality and Ethical Life: Does Hegel's Critique
1242 of Kant Apply to Discourse Ethics?' in *Moral Consciousness and*
1243 *Communicative Action*, trans. C. Lenhardt and S. Weber
1244 Nicholse (Cambridge, MA: MIT Press, 1990).
- 1245 Jürgen Habermas *Postmetaphysical Thinking*, trans. W.
1246 M. Hohengarten (Cambridge, MA: MIT Press, 1992).
- 1247

- 1248 Jürgen Habermas *Between Facts and Norms: Contributions to a*
1249 *Discourse Theory of Law and Democracy*, trans. William Rehg
1250 (Cambridge, MA: MIT Press, 1996).
- 1251 Jürgen Habermas *On the Pragmatics of Social Interaction*, trans.
1252 Barbara Fultner (Cambridge, MA: MIT Press, 2001).
- 1253 Axel Honneth, 'Moral Consciousness and Class Domination: Some
1254 Problems in the Analysis of Hidden Morality,' in *The*
1255 *Fragmented World of the Social: Essays in Social and Political*
1256 *Philosophy*, ed. C.W. Wright (Albany: SUNY Press, 1995).
- 1257 Axel Honneth *The Struggle for Recognition: The Moral Grammar of*
1258 *Social Conflicts*, trans. Joel Anderson (Cambridge, MA: MIT
1259 Press, 1995).
- 1260 Axel Honneth *Freedom's Right: The Social Foundations of Democratic*
1261 *Life*, trans. Joseph Ganahl (Cambridge: Polity Press, 2014).
- 1262 Jennifer Hornsby and Rae Langton, 'Free Speech and Illocution',
1263 *Legal Theory* 4 (1998), 21–37.
- 1264 Stephen Houlgate, 'Hegel and Brandom on Norms, Concepts and
1265 Logical Categories', in *German Idealism: Contemporary*
1266 *Perspectives*, ed. Espen Hammer (London: Routledge, 2007).
- 1267 Immanuel Kant, *Anthropology from a Pragmatic Point of View*, trans.
1268 and ed. R. B. Loudon, (Cambridge: Cambridge University Press,
1269 2006).
- 1270 Rebecca Kukla, 'Performative Force, Convention, and Discursive
1271 Injustice', *Hypatia* 29 (2014), 440–457.
- 1272 Andrea Lobb, 'Prediscursive Epistemic Injustice': Recognising
1273 Another Form of Epistemic Injustice?' *Feminist Philosophy*
1274 *Quarterly* 4 (2018 Article 3), 1–23.
- 1275 Thomas McCarthy, 'Die politische Philosophie und das Problem der
1276 Rasse', in *Die Öffentlichkeit der Vernunft und die Vernunft der*
1277 *Öffentlichkeit: Festschrift für Jürgen Habermas*, eds.
1278 Lutz Wingert and Klaus Günther (Frankfurt, Suhrkamp, 2001).
- 1279 G.H. Mead, *Mind, Self, and Society: The Definitive Edition*, eds. C.
1280 W. Morris, D. R. Huebner and H. Joas (Chicago: University of
1281 Chicago Press, 2015).
- 1282 José Medina, 'Misrecognition and Epistemic Injustice', *Feminist*
1283 *Philosophy Quarterly* 4 (2018 Article 1), 1–16.
- 1284 Jari I. Niemi, 'Habermas and Validity Claims', *International Journal*
1285 *of Philosophical Studies* 13 (2005), 227–244.
- 1286 Danielle Petherbridge, *The Critical Theory of Axel Honneth*
1287 (Lanham, MD: Lexington Books, 2013).
- 1288 Danielle Petherbridge 'What's Critical about Vulnerability?
1289 Rethinking Interdependence, Recognition and Power', *Hypatia*
1290 31 (2016), 589–604.

The Vulnerable Dynamics of Discourse

1291 Danielle Petherbridge 'How Do We Respond? Embodied
1292 Vulnerability and Ethical Responsiveness', in *New Feminist*
1293 *Perspectives on Embodiment* eds. Clara Fischer and Luna Dolezal
1294 (Palgrave MacMillan, 2018).

1295 Danielle Petherbridge 'Recognition, Vulnerability and Trust',
1296 *International Journal of Philosophical Studies*, 29 (2021).

1297 William Rehg, *Insight and Solidarity: A Study in the Discourse Ethics*
1298 *of Jürgen Habermas*, Berkeley, Los Angeles (London, University of
1299 California Press, 1994).

1300 Richard Rorty, *Contingency, Irony, and Solidarity*, (Cambridge:
1301 Cambridge University Press, 1989).

1302 Wilfrid Sellars, *Science, Perception and Reality*, (London: Routledge,
1303 1991).

1304 Beata Stawarska, 'Linguistic Encounters: The Performativity of
1305 Active Listening', in *Body/Self/Other: The Phenomenology of*
1306 *Social Encounters*, eds. Luna Dolezal and Danielle Petherbridge
1307 (Albany: SUNY Press, 2017).

1308 Patricia J. Williams. *The Alchemy of Race and Rights: Diary of a Law*
1309 *Professor* (Cambridge, MA: Harvard University Press, 1991).

1310 Christopher F. Zurn. *Axel Honneth: A Critical Theory of the Social*
1311 (Cambridge: Polity Press, 2015).

1312

1313

1314

1315

1316

1317

1318

1319

1320

1321

1322

1323

1324

1325

1326

1327

1328

1329

1330

1331

1332

1333