

Discussion of the paper by F.-K. Kaufmann

ARROW

Though Professor Kaufmann has raised important problems regarding the role of values in a democracy, he has come up with the optimistic view that social organizations can deal with the problems of modernity not by repressing them but by adapting to them. I must heartily agree.

We are conscious, as has been said, that modernity is constant change. The problem this creates is not unique to democracy and is raised for any other form of government. In recent times, we have seen the reaction of other forms of government, in Germany and in the former Soviet Union, in which the adaptation was an abandonment of conventional morality to extraordinary dimensions, far beyond that in regimes previously thought of as oppressive, such as the Czarist regime in Russia. Indeed, democracy just because of its complexity, its checks and balances, its dispersion of power, may well offer better protections for the preservation of values than more authoritarian systems.

There is one historical aspect to your question. There seems to be a presumption that, while the present world is one of constant change, there was a stable past in which tradition played a bigger role. This may be true in a relative sense, but I believe it has never been true absolutely. I am struck by the fact that the Middle Ages are now considered by scholars to be a very progressive era. Technologically, there were many inventions, many more than in the classical world of Rome and Greece; there was in fact little technology in the Rome of the third century A.D. that was not present in Greece of the 5th century B.C. The Middle Ages saw invention after invention: windmills and clocks being outstanding. Medieval architecture was daringly original. Where their Renaissance successors looked back to the lost glory of Rome, the architects of the Gothic cathedrals saw themselves as improving on their masters, even though they respected them. The Middle Ages also saw great social inventions. The university had no precedent, yet it had so much vitality and adaptability that it continued into the progressively different world of today. The commune was another great social invention; though it had some precedent in the Greek *polis*, it developed in its own way to create social conditions appropriate for

commerce in a society whose leading ideals were different. Parliament too is a Medieval invention, very viable in Great Britain, France, and the kingdoms of the Iberian peninsula, though only in the first did it survive the absolute monarchies of the Renaissance.

These technological and social innovations were responses to changing conditions, and we are responding today. Admittedly, the pace may be greater, as measured by the volume of legislation or judicial decisions. But qualitatively, I don't think they form a change with the past. We always have the problem of adaptation, in the moral as in other spheres. I don't think that morality has changed, though the application of morality has; it is easy to confuse the two. In the past, morality has seemed to have an eclipse, yet conventional morality always reasserts itself; compare eighteenth-century Great Britain with nineteenth-century Great Britain.

There is indeed one distinctive characteristic of the modern age which has very little precedent, the growth of both science itself and its importance in the world. Science, like the world of Gothic architecture, is based on the idea that authority is both respected and expected to be transcended. The scientist wants to learn the wisdom of the past but at the same time to change it. This attitude is perhaps one of the chief differences between this and earlier periods (although there was scientific progress in the Middle Ages, though not at the pace of the modern era). The values which lead to the development of sciences remain constant, though the particular beliefs held are changing. It is to this combination of change and constancy that democracy has to adjust.

MALINVAUD

In your section 4.3., "Democracy between Attitudes and Values", you convincingly argue that the challenges now faced by democracies will be solved neither by appeals to basic values nor by the formation of *ad hoc* consensus in each case, because people are no longer now ready to accept unless they feel a self-commitment to do so. We might hope that, in an increasingly complex world, this requirement of individual deep adhesion will lead to the emergence of a superior ethics. Unfortunately, we often witness the same person being moved by contradictory norms. In the past we could see ethical principles as making a consistent whole, either because of the Kantian requirement of logical consistency or because of the Anglo-Saxon search for a consensus through appeal to reason. But if we are confronted with attitudes which are morally contradictory in the same individuals, how can we hope that ethical superiority will emerge? Could I be so bold as to imagine that, by mutual implicit agreement, the various

religions in our communities would preach the same core of human values, which citizens would come to consistently follow through personal commitment?

MINNERATH

May I tell you that I feel quite sceptical about the idea that the world religions should agree to set up a common moral basis. Not only because world religions relate very differently to morality, but above all because morality cannot be restricted to religion or religious people. If a common moral basis has to be worked out, it should be done with all the components of the human family. This attempt already exists: I mean the philosophy of human rights, as set down in international instruments. The common basis for human morals is human nature and not religions. Moral standards have to be worked out by reason.

SCHASCHING

With regard to democracy and values we find contradictory positions today. Some say that values are ideologies and block the freedom of democracies. Others, like Böckenförde, insist that democracies presuppose values which democracy itself cannot produce. How should such a contradiction be answered?

MORANDE

I would like to thank Professor Kaufmann for his very interesting presentation which has certainly raised many questions. I would like to refer to one of them.

I agree with Professor Kaufmann when he says, following Max Weber, that all prophetic religions offer a cultural overview with the tendency to draw away from the world, and also with his statement that this tendency guarantees freedom in man, because nobody is obliged to integrate himself into a social order for he knows that *Deus semper major*. Nevertheless, this cultural phenomenon should not necessarily be interpreted in the sense of Calvinist indifference to the world, which is a particular cultural option. I see in this property of prophetic religions the way to protect human existence as such as well. Man is a creature of God and not of the world or of the social order. Therefore, its existence is not questioned. It is not a value but a precondition of every value, and this statement is not a moral but an ontological one.

This is the reason why I do not like very much the expression "values". It used to be interpreted as referring to a type of moralism, as Professor

Kaufmann correctly said, which may hide the ontological dimension of human existence, as actually happens nowadays. As I mentioned earlier this morning, referring to *Evangelium Vitae*, the main problem for the discussion on democracy and human rights today is man's existence in itself. We live in an anti-life culture, and the institutional order seeks to legitimate abortion, for instance, as a right of women. This position surpasses any type of moralism, and consequently subverts every possible hierarchy of values. Philosophical tradition has called it "nihilism". Thomas Hobbes, in his hypothesis of the fight of all against all never thought that he should also include in his social model the unborn. But the legal order now leaves space to seeing the unborn as an aggressor. If we don't imply the ontological dimension of human existence, I conclude that all the discussion about values and democracy ends up by being a type of moralistic entertainment. Without the religious criterion which recognizes a distance between what is "made by God" (and therefore out of discussion) and "made by man", society loses all possible standpoints by which to refer to any hierarchy of values.

KAUFMANN

Professor Arrow has suggested that the difference between modernity and tradition tends to hide the very dynamic character of the Middle Ages. I completely agree that the Middle Ages are the first phase of the process we now call modernization. It was above all the investiture struggle and its settlement in the Concordat of Worms (1122) which brought a new principle into the tension between popes and the emperors, namely the principle of differentiated domains for the sacred and the secular, for the sacramental and for the feudal. This principle of structural differentiation of different functions characterizes the whole process of modernization. However, until the eighteenth century the dynamics of technical, political and economic developments were not acknowledged as such. Human order was still thought of as being based upon unchanging principles. It was not until the "*querelle des anciens et des modernes*" that the legitimacy of change became a subject of concern, and it was historicism which brought it to its ripeness. In defining modernity as a cultural complex which changes as such, emphasising the new against the old, supporting adaptation and learning and working against the belief in unchanging traditions, I did not wish to deny the dynamics of the Middle Ages. Perhaps even our present-day understanding of tradition is quite modern, as a kind of invented contrast to what modernisers deemed to be new and worthy.

The issue of contradictory norms which Professor Malinvaud has emphasized is one of the crucial questions which ethics as well as religions have to face up to under contemporary conditions. To be sure, norms are seldom contradictory in themselves, but the growing complexity of modern situations makes it difficult to reach moral judgments by simply applying a certain normative standard. Very often different standards seem applicable and lead to different if not contradictory conclusions. One reaction to this growing complexity is the trend in ethics away from concrete norms towards more abstract and more universalistic principles which are altogether less instructive for concrete decisions.

As far as religion is concerned, I believe that Christianity should not be seen as an immediate source for social morality as happens in Durkheim's sociology. I would agree more with Max Weber who said that all prophetic religions motivate a distancing from the world as it is, and that in this way they foster human freedom. If "*Deus semper major*", you are not obliged to integrate yourself completely into any given social order. In the Christian perspective no worldly organization can claim to represent the true order. There are always alternatives to be thought of. In that sense, Christianity implies not only recourse to the tradition of the Gospel but also a dynamic principle in all worldly affairs. So I believe that men have always lived in ambivalent situations, but it is only in our times that we have become able to live explicitly with ambivalence. Moreover, the growing complexity of social organization fosters a certain opportunism in decision-making. Insofar as the economic theory of self-interest is quite adequate to explain the behaviour of organizations, individuals are more often oriented toward moralistic standards.

As to the question raised by Professor Schasching, I can only refer to the distinction I made in my paper between the Continental and the American tradition of thinking about values. The first argument you used came from the horizon of the American tradition, whereas Ernst Wolfgang Böckenförde's argument stems from the Continental tradition. I think that we are today kept within a tension between these two traditions of thought, the more we become cosmopolitans. I think we should acknowledge that tension before we try to overcome it.

I very much appreciated the comment of Professor Morande which is fully in line with my argument. I think that we can move further in our inquiries about social ethics if we abandon that misleading concept of values which blurs – to quote again Kant – the difference between 'price' and 'dignity'.