

# VALIDITY AND VISIBILITY: RETHINKING HABERMAS

*Fabrizio Sciacca*

## *Abstract*

*A critical reconstruction of Jürgen Habermas's theory of communicative rationality requires closer examination of the symbolic and infrastructural conditions under which validity claims may be articulated, recognised, and sustained. Habermas's work is central to the post–metaphysical reformulation of normativity, moving beyond both metaphysical certainty and a reductive genealogy of power. Yet the procedural presuppositions of rational discourse – inclusion, symmetry, reciprocity, and freedom from non–argumentative coercion – are not merely pragmatic conditions of communication, but fragile social and institutional achievements. In late–modern public spheres marked by fragmentation, economic asymmetry, and digital mediation, the issue is not only whether claims can be rationally justified, but whether they can appear as intelligible objects of justification at all. The distinction between validity and visibility clarifies this transformation. Habermas's project is therefore philosophically and politically significant, though it must be reconsidered in relation to the symbolic infrastructures that condition intelligibility, recognition, and attention.*

5

*Keywords:* Political Philosophy, Public Sphere, Visibility, Validity, Democracy

## *1 Reason after Catastrophe*

The death of Jürgen Habermas on 14 March 2026 in Starnberg closed an intellectual trajectory that had accompanied the Federal Republic of Germany, and post-war Europe more broadly, in the attempt to make reason thinkable after political catastrophe. Born in Düsseldorf on 18 June 1929, Habermas belonged to a generation for whom the reconstruction of democratic legitimacy was never an abstract question alone. It was inseparable from the historical experience of National Socialism, from the moral rupture disclosed after 1945, and from the need to rebuild a public language capable of sustaining constitutional democracy.

The present essay advances a double assessment. On the

one hand, Habermas remains one of the very few twentieth-century philosophers who transformed critical theory into a rigorously normative project without abandoning criteria of validity and without reducing social reality to power alone. His conception of communicative rationality, his discourse theory of law and democracy, and his analyses of the public sphere continue to provide an indispensable vocabulary for diagnosing the pathologies of modern societies: the colonisation of the lifeworld (*Lebenswelt*), the erosion of publicity, the technocratic narrowing of politics and the fragility of democratic will-formation (Habermas 1984, 1987a, 1996).

6 On the other hand, the same normative core exposes Habermas to a persistent difficulty. The possibility of critique appears to depend upon discursive conditions – symmetry, inclusion, mutual recognisability and freedom from coercion – that are repeatedly undermined by social inequality, symbolic hierarchy, media concentration and, more recently, platform infrastructures that fragment and monetise attention (Fraser 1990; Habermas 2023; Young 2000). The problem is not merely that empirical communication falls short of an ideal. It is that the social conditions under which reasons can appear as reasons, and under which claims can become publicly recognisable, are themselves increasingly precarious.

This difficulty is already foreshadowed in Habermas's earliest academic work. His doctoral dissertation, *Das Absolute und die Geschichte: Von der Zwiespältigkeit in Schellings Denken*, was submitted at the University of Bonn in 1954 and examined the relation between the absolute and history in Schelling's thought (Habermas 1954). The mature Habermasian problematic may be read as a post-metaphysical transformation of that originary tension. What had been posed as the relation between the absolute and history reappears, in later work, as the relation between facticity and validity, system and lifeworld, and procedural universalism and historical finitude (Habermas 1996).

## 2 The Vocabulary of Modernity

A philological clarification is essential. *Öffentlichkeit* should not be translated simply as 'public opinion', if that phrase is understood as an aggregate of preferences. It designates a historically

specific and institutionally mediated form of publicity in which private persons can address matters of common concern as members of a public. Habermas analyses the bourgeois public sphere as a social formation located between civil society and the state, not as a mere psychological or statistical phenomenon of opinion (Habermas 1989).

This formulation contains both the strength and the vulnerability of the early project. Habermas treats the bourgeois public sphere as a historical object while also allowing it to function as a normative model of rational-critical publicity. Later critiques therefore correctly objected that this model risked idealising a socially selective arena, one historically marked by gendered, classed and racial exclusions. The point is not simply that Habermas described the bourgeois public sphere inaccurately, but that the very norm of publicity must be pluralised if it is to account for counter-publics and subordinated forms of voice (Calhoun 1992; Fraser 1990).

The critique of positivism is at once epistemological and political. Knowledge is not a neutral mirror of the world; it is structured by cognitive interests connected to technical control, practical understanding and emancipation (Habermas 1971). The force of the argument lies in its refusal to isolate epistemology from social practice. Yet this refusal also introduces a tension: if interests are constitutive of knowledge, how can critique preserve non-relativistic criteria without reintroducing a quasi-transcendental foundation? This question anticipates the later turn to language and communicative rationality.

The *Theory of Communicative Action* is commonly described as a shift from the philosophy of consciousness to the philosophy of language. More precisely, it attempts to reconstruct social critique on the claim that ordinary communication is structured by validity claims – truth, rightness and sincerity – that are in principle open to challenge and redemption through argument (Habermas 1984, 1987a). Speech acts are not merely vehicles of semantic content. They bind speakers and hearers within relations of accountability; they claim recognition and expose themselves to possible rejection. Validity is therefore intersubjective and procedural. Yet this also means that validity depends upon a prior threshold of intelligibility: a claim must first become visible as a claim before it can be accepted, rejected or redeemed through argument.

The distinction between system and lifeworld follows from this reconstruction. Habermas draws upon Marxian analyses of reification and Weberian accounts of rationalisation while attempting to translate both into post-metaphysical social theory (Habermas 1984, 1987a; Marx 1976; Weber 1978). The lifeworld is reproduced through communicative action; system mechanisms, by contrast, operate through media such as money and administrative power. Modern social pathology arises when systemic imperatives intrude into domains that require communicative reproduction – family, culture, civic life and democratic publicness.

In *The Philosophical Discourse of Modernity*, Habermas defends the unfinished project of modernity against forms of postmodern critique that, in his judgement, undermine the very criteria required for emancipation (Habermas 1987b). The claim is not that modernity has fulfilled its promises. Rather, modern institutions – rights, publicity, autonomy and democratic accountability – contain a normative surplus that permits immanent critique. Modernity is therefore not an accomplished achievement but a field of unfulfilled promises.

8

### 3 *Discourse Theory, Law and Democratic Legitimacy*

*Between Facts and Norms* gives Habermas's categories their fullest juridical and political articulation. *Geltung* refers not merely to social efficacy but to validity as a claim to justification. Law is factual because it is coercively institutionalised; it is valid only insofar as it can be justified through procedures that connect formal institutions to informal processes of public opinion- and will-formation (Habermas 1996).

Here again, the *validity* of law depends upon more than formal procedure. It also depends upon the *visibility* of reasons, actors and grievances within the communicative circuits that link civil society, public spheres and institutions.

The methodological centre of the project is a wager: normativity must not be imported from outside social life – from theology, metaphysics or substantive conceptions of human essence – but reconstructed from within communicative and institutional practices. Habermas does not abandon universalism; he reformulates it in fallibilist and procedural terms.

The universal is not a metaphysical substance but a pragmatic orientation contained in the structure of argumentation itself (Habermas 1990, 1992).

One strength of this position is that it refuses to reduce critique to demystification. Social criticism is not only suspicion; it also requires criteria. Yet the same structure generates the principal vulnerability of the theory. The reconstruction of the conditions of mutual understanding can become an ideal whose regulative status is difficult to distinguish from a tacit normative foundation. Habermas's appropriation of Austin and Searle privileges the dimensions of language most compatible with understanding, whereas actual discourse is also rhetorical, perlocutionary, affective and strategic (Austin 1962; Habermas 1984; Searle 1969).

A second tension is political. Habermas treats private and public autonomy as co-original: rights and democracy are not externally related but mutually presupposing (Habermas 1996). This is a powerful thesis. It rejects both liberal reductions of democracy to rights-protection and republican reductions of rights to collective self-legislation. Yet it also binds legal legitimacy to the quality of the public sphere. If informal public communication is structured by inequality, concentrated media power, platform algorithms or polarisation, the circuit between civil society and institutional decision-making becomes distorted (Fraser 1990; Habermas 2023; Young 2000).

The central critical question is therefore internal to Habermas's own architecture: did he succeed in de-transcendentalising reason, or did he relocate the absolute from metaphysics to language, making mutual understanding into a procedural surrogate for a foundation? The question is generated by the very distinction between facticity and validity: the validity of norms cannot be reduced to the facts of power, yet the social appearance of validity depends upon factual conditions of recognition, intelligibility, participation and attention.

#### 4 *Dilemmas and Critiques*

The extensive critical debate around Habermas testifies to the scale of his achievement. Many critics do not reject public reason; they dispute the conditions under which it can plausibly

operate. Feminist and democratic theorists such as Nancy Fraser and Iris Marion Young have shown that formal inclusion is not equivalent to effective equality of voice. Discursive arenas are shaped by styles of expression, social authority, affective norms and symbolic capital. A theory of deliberation that does not account for these asymmetries risks mistaking procedural openness for substantive inclusion (Fraser 1990; Young 2000).

Chantal Mouffe's agonistic critique identifies a different limitation. Politics is not reducible to conflicts that can be resolved through rational consensus. Antagonism, collective passion and value conflict are not accidental residues of insufficient deliberation; they are constitutive dimensions of democratic life (Mouffe 2000, 2005). The danger is not that Habermas values agreement, but that his framework may treat as pathological forms of conflict that democratic institutions must organise rather than abolish.

IO The contrast with Michel Foucault concerns the concept of power. In Habermas, power tends to appear as a distortion of the rational potential of communication or as the medium of administrative systems. In Foucault, power is productive: it forms subjects, knowledges and regimes of truth (Foucault 1977, 1980). From a Foucauldian standpoint, critique cannot be limited to the purification of discourse; it must also analyse how particular discursive formations become authoritative and how certain subjects become authorised to speak.

The disagreement with Derrida concerns language, meaning and the stability of criteria. Habermas worries that deconstruction dissolves the basis of critique, while Derrida's work raises doubts about the possibility of grounding legitimacy in procedures that presuppose semantic transparency and communicative self-presence (Derrida 1978; Habermas 1987b). Their later political convergence on Europe did not erase this philosophical difference; rather, it showed that shared democratic concerns can coexist with deep disagreement over the grounds of normativity.

Richard Rorty's pragmatist anti-foundationalism raises a related objection. Habermas, Rorty argues, remains tempted by a residual philosophical desire for universal grounding. Solidarity, on the pragmatist view, is historically contingent rather than secured by universal validity (Rorty 1989). Yet Rorty's alternative has its own cost. Without some criterion of validity, cri-

tique risks becoming redescriptive persuasion, and the distinction between argument and manipulation becomes difficult to sustain.

These critiques converge upon a single diagnosis. Habermas's theory becomes more necessary, not less, as democratic publicness comes under pressure. Yet the contemporary forms of that pressure – economic inequality, platformed visibility, technocratic governance and polarisation – demonstrate that the conditions of mutual understanding are not merely pragmatic presuppositions. They are political, institutional and symbolic achievements that must be produced, defended and continually repaired.

## 5 *Habermas and Rawls*

The comparison with John Rawls is central because both philosophers seek a form of legitimacy appropriate to pluralist societies without appeal to comprehensive metaphysical doctrines.

Rawls develops justice as fairness through principles that free and equal citizens could accept from an impartial standpoint, and later through the concepts of public reason and overlapping consensus (Rawls 1993, 1999). Habermas, by contrast, is wary of a construction that appears too monological in its modelling of impartiality. He places greater emphasis upon actual processes of opinion- and will-formation in public spheres and democratic institutions (Habermas 1995, 1996).

The contrast should not be overstated. Rawls offers a more systematic account of distributive and constitutional justice; Habermas offers a more dynamic account of democratic legitimacy as communicative process. A convincing theory of democracy today requires elements of both.

From Rawls it must retain the priority of basic liberties, fair equality of opportunity and constraints upon inequality; from Habermas it must retain the insight that legitimacy is not exhausted by institutional design, but depends upon public contestation and participatory will-formation (Habermas, 1995; Rawls, 1993).

Far from being merely an academic philosopher, Habermas became one of the Federal Republic's central public intellectuals, intervening in debates on historical memory, nationalism, constitutionalism, Europe, and war. The *Historikerstreit* of the 1980s is a revealing test case: Habermas opposed attempts to relativise or normalise Nazi crimes and insisted that democratic identity in Germany required an unflinching relation to historical responsibility (Habermas 1994). Public memory was not, for him, an external moral supplement to politics; it was part of democratic will-formation.

His Europeanism expresses the same logic at a postnational level. Economic globalisation, in Habermas's view, weakens the democratic capacity of the nation-state; democratic agency must therefore be extended beyond national boundaries if legitimacy is to retain substance (Habermas 2001, 2012). Yet this position is vulnerable to the objection that supranational institutions do not automatically generate a transnational public sphere. Legal integration may advance faster than communicative integration, producing a gap between institutional authority and democratic visibility.

The Italian reception of Habermas was both early and unusually intensive, extending well beyond the academy into publishing culture, public debate, political philosophy and constitutional theory. This partly explains a distinctively Italian phenomenon: Habermas was often used less as an author to be read systematically than as an argumentative resource through which practical questions – representation, legitimacy, constitutional interpretation, the role of the media and the public role of religion – might be addressed.

The risk of this mode of reception, as Italian scholarship itself has often observed, lies in the reduction of Habermas to a set of emblematic concepts – public sphere, communicative action, deliberative democracy – without adequate attention to the pragmatic premises of the theory, to the distinction between facticity and validity, or to the hybrid sociological and philosophical character of his method. At the same time, Italy has produced significant readings capable of restoring both the historical depth and the contemporary relevance of his work. A more adequate reception must therefore hold together the

philological precision of his conceptual vocabulary and the contemporary pressure exerted upon that vocabulary by transformed media environments.

This reception was also institutional and civic. A significant example is Habermas's address in the congress of the Italian Society of Political Philosophy (SIFP), held in Rome on 13–15 September 2007 and devoted to the theme "Religion and politics in a post-secular society". The occasion is revealing for the Italian context, since it shows the extent to which Habermas's work entered not only academic debate but also broader civic and institutional discussions about laicity, democracy and the public role of religion.

Habermas's interventions on Ukraine in 2022 were controversial because they combined support for Ukraine's right of defence with caution about escalation and the thresholds of direct Western involvement (Habermas 2022). Whatever one's judgement of that position, it is continuous with a longer disposition: Habermas consistently treated democratic responsibility as inseparable from public justification, historical memory and the dangers of militarised decision-making.

13

### *7 Schelling as an Originary Trace*

Habermas's dissertation on Schelling should not be treated as a merely marginal philological exercise. It is better understood as an early formulation of a problem that recurs throughout the later work: how can normativity remain binding under conditions of historicity? Schelling's attempt to think freedom, ground and history provides the background against which the young Habermas formulates the tension between the absolute and historical becoming (Habermas 1954; Schelling 2006). The significance of this early text is not that it determines the mature theory, but that it makes visible a question Habermas would later translate into post-metaphysical terms.

What remains of Schelling in the mature Habermas is not doctrine but problem-structure. In a transformed sense, the absolute becomes validity; history becomes facticity; speculative reconciliation becomes procedural justification. Habermas's originality lay in locating normativity within the public grammar of argumentation rather than in a metaphysical

ground. His fragility lay in the possibility that this procedural grammar continues to require historical conditions that history itself does not guarantee.

This fragility becomes most acute once the state can no longer be treated as the default horizon of legitimacy. Beyond the state, validity cannot rely on a relatively stable public grammar secured by shared institutions, common legal forms and bounded political membership. It must traverse fragmented symbolic environments, uneven communicative infrastructures and contested forms of recognition.

### 8 *Cosmopolitan Legitimacy and the Problem of Visibility*

14 The limits of Habermas's account of international law become clearer when read through the lens of visibility. The attempt to extend legitimacy beyond the state presupposes not only juridification but also communicative structures capable of sustaining justification across borders (Habermas 2001, 2012). The postnational constellation would require multilayered institutions, transnational publics and domestic legal systems that interact to stabilise norms whose validity is not confined within the state. Yet these conditions are weakly institutionalised and unevenly distributed.

The problem is not merely that a global public sphere remains incomplete. It is that the *symbolic preconditions* of such a sphere – shared languages of justification, relatively stable horizons of interpretation and minimally symmetrical participation – are fragmented and stratified. Without common frameworks through which claims can be rendered intelligible, contested and recognised, the circulation of reasons remains discontinuous across contexts.

The concept of visibility clarifies this limitation. Validity concerns the redeemability of claims through justification; visibility concerns the conditions under which claims can appear, circulate and be recognised as candidates for justification. In digital and global communication, attention is distributed by infrastructures that filter access and amplify some voices while marginalising others (Habermas 2023). Claims may therefore fail to enter the space of justification not because they lack validity, but because they lack visibility.

The relation between validity and visibility is consequently not ancillary but constitutive. Under conditions of algorithmic mediation, economic inequality and symbolic asymmetry, what can count as a valid claim is increasingly bound to what can attain sufficient visibility. This does not refute the Habermasian project; it displaces its problem. The question is no longer only how norms can be justified beyond the state, but how the infrastructures that determine the appearance, circulation and uptake of justifications are themselves produced and contested.

Habermas's lasting importance does not lie in the unassailability of his system. It lies in the seriousness of the question he bequeathed to contemporary thought: how can modern societies preserve the normative force of reason after metaphysical guarantees have collapsed and after history has shown how readily reason can serve domination? His answer was not a simple confidence in progress. It was a wager that communication, law and democratic publicity still contain resources of justification that critique can reconstruct and institutions can sustain (Habermas 1984, 1996, 2023).

Whether that wager remains adequate under present conditions is unresolved. Yet the distinction between validity and visibility indicates why the question must be reformulated. The problem of critique can no longer be framed solely in terms of the justification of norms. It must also address the organisation of visibility through which norms become contestable or remain invisible. Habermas remains indispensable precisely because his theory makes this difficulty intelligible. To rethink him is not to abandon his project, but to radicalise it under conditions in which the symbolic presuppositions of public reason have become unstable.

15

## References

- Austin, John Langshaw (1962). *How to Do Things with Words*. Oxford: Clarendon Press.
- Calhoun, Craig (Ed.) (1992). *Habermas and the Public Sphere*. Cambridge, MA: MIT Press.
- Derrida, Jacques (1978). *Writing and Difference* [1967]. Chicago, IL: University of Chicago Press.
- Foucault, Michel (1977). *Discipline and Punish: The Birth of the Prison* [1975]. New York: Pantheon Books.

- (1980). *Power/Knowledge: Selected Interviews and Other Writings*, 1972–1977. New York: Pantheon Books.
- Fraser, Nancy (1990). “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy”. *Social Text*, (25/26), 56–80.
- Habermas, Jürgen (1954). *Das Absolute und die Geschichte: Von der Zwiespältigkeit in Schellings Denken* [Doctoral dissertation, University of Bonn]. Bonn, Germany.
- (1971). *Knowledge and Human Interests* [1968]. Boston, MA: Beacon Press.
- (1984). *The Theory of Communicative Action*. Vol 1. *Reason and the Rationalization of Society* [1981]. Boston, MA: Beacon Press.
- (1987a). *The Theory of Communicative Action*. Vol. 2. *Lifeworld and System: A Critique of Functionalist Reason* [1981]. Boston, MA: Beacon Press.
- (1987b). *The Philosophical Discourse of Modernity: Twelve lectures* [1985]. Cambridge, MA: MIT Press.
- (1989). *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* [1962]. Cambridge, MA: MIT Press.
- (1990). *Moral Consciousness and Communicative Action*. Cambridge, MA: MIT Press.
- (1992). *Postmetaphysical Thinking: Philosophical Essays* [1988]. Cambridge, MA: MIT Press.
- (1994). *The New Conservatism: Cultural Criticism and the Historians’ Debate* [1989]. Cambridge, MA: MIT Press.
- (1995). “Reconciliation Through the Public Use of Reason: Remarks on John Rawls’s Political Liberalism”. *The Journal of Philosophy*, 92(3), 109–131.
- (1996). *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* [1992]. Cambridge, MA: MIT Press.
- (2001). *The Postnational Constellation: Political Essays*. Cambridge, MA: MIT Press.
- (2003). “February 15, or What Binds Europeans Together: A Plea for a Common Foreign Policy, Beginning in the Core of Europe”. *Constellations*, 10(3), 291–297.
- (2012). *The Crisis of the European Union: A Response*. Cambridge: Polity Press.
- (2022, May 6). *War and Indignation: The West’s Red Line Dilemma. Reset Dialogues on Civilizations*. <https://www.resetdoc.org/story/jurgen-habermas-war-indignation-west-red-line-dilemma/>.

- (2023). *A New Structural Transformation of the Public Sphere and Deliberative Politics* [2022]. Cambridge: Polity Press.
- Marx, Karl (1976). *Capital: A Critique of Political Economy* [1867]. Vol. I. London: Penguin Books.
- Mouffe, Chantal (2000). *The Democratic Paradox*. London: Verso.
- (2005). *On the Political*. London: Routledge.
- Rawls, John (1999). *A Theory of Justice* [1971]. Revised Edition. Cambridge, MA: Harvard University Press.
- (1993) *Political liberalism*. New York: Columbia University Press.
- Rorty, Richard (1989). *Contingency, Irony, and Solidarity*. Cambridge: CUP.
- Schelling, Friedrich Wilhelm Joseph (2006). *Philosophical Investigations into the Essence of Human Freedom* [1809]. Albany, NY: State University of New York Press.
- Searle, John Rogers (1969). *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: CUP.
- Weber, Max (1978). *Economy and Society: An Outline of Interpretive Sociology* [1922]. Berkeley: University of California Press.
- Young, Iris Marion (2000). *Inclusion and democracy*. Oxford: OUP.