HERMENEUTICAL RECONSTRUCTION AND DISCOURSE ETHICS: A CRITICAL ASSESSMENT OF FRANCIS SCHUESSLER FIORENZA’S CONCEPT OF ‘THE CHURCH AS A COMMUNITY OF INTERPRETATION’

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Abstract
The essay offers a critical assessment of Francis Schuessler Fiorenza’s influential concept of the church as a community of interpretation. A first section focuses on his argument that processes of the interpretation of tradition within the church can actually contribute to normative discourse in the public sphere. The way in which Fiorenza, engaging with Habermas, develops his idea of political theology somewhere between discourse ethics and hermeneutical reconstruction is explored critically. Against this background, a second section then focuses more specifically on Fiorenza’s concept of a community of interpretation, both from a social and an ecclesiological perspective. It is argued that the notion of community remains unclear. It can be understood as institution, organization or life-form. The concluding argument is that the question how the reinterpreted ethical traditions of Christianity can contribute meaningfully to public discourse calls for greater clarity concerning this notion of community.

1. Introduction
The essay chosen as the starting point for this inquiry has two titles, or technically a title and subtitle. It is Francis Schuessler Fiorenza’s somewhat famous article “The Church as a Community of Interpretation: Political Theology between Discourse Ethics and Hermeneutical Reconstruction.” After having used the concept of “The Church as a Community of Interpretation” myself in case studies as well as in theoretical work, I

1. I am deeply indebted to the Faculty of Theology of Stellenbosch University which invited me as a visiting scholar in October and November 2001. This provided the opportunity for the writing of this essay. I am also grateful to the universities of Stellenbosch and Marburg for providing support for this visit through their mutual faculty exchange program. I profited a lot from comments and criticism I received when I presented a previous version to the Faculty of Theology in Stellenbosch and also from the inspiring atmosphere, collegial conversations and warm hospitality I had the privilege to experience in Stellenbosch.


realized that the essay actually says a lot about “Political Theology between Discourse Ethics and Hermeneutical Reconstruction”, but it reveals to us very little about what Francis Schuessler Fiorenza himself presents as the first item in his conclusion: “In this essay I have argued that the churches within modern society function as communities of interpretation in which issues of justice and conceptions of goodness are publicly discussed.”

In fact, it is my impression that he touched this issue only briefly and en passant while emphasizing mainly a justification of “political theology as a discourse for the public realm,” meeting the requirements of public discourse in a modern society according to Habermas' “Theory of Communicative Action.” The two aspects are somewhat related, but they are two distinct problems. The relation clearly is that, if the kind of interpretative endeavor taking place in the church does per se not meet the requirements of public discourse, then the church could not function as a community of interpretation aimed at the public realm. Thus clarifying the question of whether what Francis Schuessler Fiorenza calls Political Theology can substantially contribute to public discourse is a necessary but insufficient condition for further analysis. We must ask in which way the church can be a community of interpretation, and what this means for the church being such a community. In the following, I therefore want to critically explore first Francis Schuessler Fiorenza’s argument employed to sustain his idea that the processes of interpretation of tradition within the church can actually contribute to the normative discourse in the public sphere (I). Secondly, I will put the concept of a community of interpretation under scrutiny, from the perspective of a theory of society as well as a perspective of ecclesiology (II).

2. Political Theology between Discourse Ethics and Hermeneutical Reconstruction

Francis Schuessler Fiorenza’s Interpretation of Habermas’ Concept of Modernity

Francis Schuessler Fiorenza’s argument rests on at least two presuppositions. One is that the process of modernization is relevant for the way religious communities reinterpret their own traditions, for their mere self-indulged purposes, or, especially, for engagement in the public. The other is that Habermas provides in his “Theory of Communicative Action” an accurate account of modern society. Thus Francis Schuessler Fiorenza starts with a reconstruction of Habermas’ concept of modern society aiming at a formulation of the requirements resulting from this concept for the public relevance of religious traditions. The purpose of the following section is not to put under scrutiny whether Francis Schuessler Fiorenza’s understanding of Habermas is adequate, but to trace the major
features that his reading of Habermas offers for his understanding of modernity and the reinterpretation of religious traditions in modernity.

For Habermas, Francis Schuessler Fiorenza points out, rationalization is the key term explaining modernity. Following Max Weber, means-ends or purposive rationality (Zweckrationalitaet) is seen as the driving force in the genesis of modern society.\(^8\) It leads to the separation of different societal sub-systems, especially politics and economy. By the differentiation of sub-systems following functional criteria and by employing abstract steering media such as money and power for their coordination, the efficiency of economy and administration can be increased.\(^9\) Yet there is the danger that their internal logic is going to be detached from the sphere based on communicative rationality. Habermas refers to the realm of economy and administration as “system” and to the realm based on communicative rationality as the “lifeworld”. \(Nota\ bene\), these two are not to be understood as two separate spheres within society, but as two different perspectives in which one can perceive society – either societal coordination based on abstract steering media employing means-ends rationality, or societal coordination based on interaction of human agents employing communicative rationality.\(^10\) This separation of “system” and “lifeworld” can be seen as one feature of rationalization of current society in Habermas’ theory.\(^11\)

The other aspect of rationalization\(^12\) is that the structures of the lifeworld itself are also subjected to a process of rationalization. Following Kant, Habermas proposes that within the life-world, “the cognitive, normative, and aesthetic-expressive spheres of life” are differentiated into “three cultural value spheres”\(^13\) corresponding to three different types of world-relation: the objective, the inter-subjective and the subjective.\(^14\)

Following the insights of certain strands of European Enlightenment, validity claims in these spheres must be based on publicly acceptable arguments. The validity claims get detached from the authority of what Habermas calls mythic worldviews. With regard to ethics they are dependent on the principles of what Habermas develops in his Discourse Theory of Morality in analogy to the Discourse Theory of Truth: The validity claims must

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8. See the title of the first volume of the "The Theory of Communicative Action": Reason and the Rationalization of Society (Boston, MA: Beacon Press, 1983), which can be read as a historical reconstruction of the emergence of modern society.


10. Habermas pushes this argument even further and analyses the "uncoupling" of system and life-world, and he finally fears the colonization of the life-world by the penetrating imperatives of the abstract steering media of the system. Francis Schuessler Fiorenza is referring to these processes in his section “The Pathology of Modern Rationalization” (pp. 71f.). Though we must return to this problem later, I do not think Francis Schuessler Fiorenza’s argument about the relevance of hermeneutical reconstruction for discourse ethics actually requires this aspect.

11. Cf. Fiorenza: The Church as a Community of Interpretation, p. 68.

12. I am not sure whether the relationship between these two different, though interrelated aspects of rationalization in Habermas is described clearly enough in Francis Schuessler Fiorenza’s writing, Cf. Gimmler: Institution und Individuum, p. 180.

13. Fiorenza: The Church as a Community of Interpretation, p. 69.

be universalizable (principle “U”), and consensual agreement must be achieved in a practical discourse of the people actually and potentially affected by the issue (principle “D”). This is in his view the only way to found a rational theory of ethics after enlightenment in a pluralistic society.

As a consequence, and in similarity with much of liberal political philosophy, religion seems to lose any relevance for normative public discourse, since it is equated with pre-modern worldviews, which are per se not qualified to provide rationally acceptable arguments for validity claims. Francis Schuessler Fiorenza is challenging exactly the correctness of this deduction from the principles, which he in general is willing to accept.

The Validity of Religious and Moral Tradition

Francis Schuessler Fiorenza commences his apology of religious – respectively theological – ethics by attacking Habermas’ understanding of religion and theology, blaming him for not having realized that at least relevant parts of (Christian) religion and theology have undergone a process of modernization. Meeting the challenge of the enlightenment, religious discourse and theology have integrated standards of rationality in their own gestalt, argues Francis Schuessler Fiorenza, which enables them to participate in public discourse under the conditions set by modern rationality without having to give up the substantial content of their own tradition:

Modernity is not simply that which stands over against traditional religion. The modern Enlightenment is not adequately described as the ‘Rise of Modern Paganism.’ Instead, in the modern post-Enlightenment period, forms of religious faith and reflection emerge that incorporate the critical principles of the Enlightenment. These principles are so incorporated as to constitute the very integrity of religious belief and reflection.
As reasons for this development he refers to three different aspects. The first one is the “increasing uncoupling of theology from mythological and cosmological worldviews.”

Secondly, he argues that religious beliefs are in modernity “based upon personal conviction rather than upon authority.”

Thirdly, he stresses that the ethical dimension of religious tradition undergoes a significant re-conceptualization. On the one hand, “[e]thical criteria within religious symbol systems become increasingly retrospective criteria by which the symbol systems are assessed,” resulting in the reinterpretation of the religious tradition according to fundamental ethical values such as justice and equality. This shows, still following Francis Schuessler Fiorenza, the implementation of universalizable principles in the system of religious belief and theological reflection. In turn, this internal ethical universalization also indicates the historicity and contextuality of the particular tradition, which has to be taken into account during the process of reinterpretation of the religious tradition in the context of modernity.

Subsequent research has produced further evidence for this argument. Joachim von Soosten has disclosed in an informative essay that Habermas actually operates with a notion of religion stemming from Durkheim’s analysis of archaic religion, and Habermas himself freely admits that his avoidance of theology is not only due to a “methodological atheism”, but also to his limited knowledge in the field.

Von Soosten argues that Durkheim’s interest in religion as a subject of his sociological studies is due to his doubt about the possibility for social integration of modern society. His fear of anomy leads him to conceptualize religion as a collective, socially integrative endeavor. Using contemporary ethnological material about archaic ritualistic religions in Australia, religious individualism is inconceivable in Durkheim’s sociological approach to religion. In search for a remedy for the pathologies of modernity, especially the supposedly destructive potential of individualism, religion is modeled as the antidote against modernity, the means of integration against anomy, and the safeguard of collectivity against individualism.

Habermas’ use of Durkheim’s views seems to shape his concept of religion in an even more archaic way. By conceptualizing collectivist, ritualistic religion as the means of integration in homogenous archaic societies he can present communicative rationality as the legitimate heir for the equivalent function in individualized modern society. The “linguistification of the sacred” appears to be the natural outcome of societal evolution. By this token, Habermas renders himself unable to conceive of modernized forms of religion.

Thus, Francis Schuessler Fiorenza’s critique of Habermas in this respect seems convincing. Religious traditions may have to offer arguments compatible with requirements of public rational discourse and these might be accepted in practical discourse by the

19. Fiorenza: The Church as a Community of Interpretation, p. 75.
20. Fiorenza: The Church as a Community of Interpretation, p. 74; cf. pp. 75f.
21. Fiorenza: The Church as a Community of Interpretation, p. 76.
affected people as universalizable principles. And he also seems to be correct in making the argument that discourse ethics is actually dependent on specific moral and/or religious traditions, since moral and ethical discourses do not and cannot start from scratch. Validity claims based on tradition are put under scrutiny when, and only when there is doubt that they cannot be sustained by arguments meeting acceptable reasonable standards. However, this does not necessarily imply that Francis Schuessler Fiorenza is also giving a convincing assessment of the relationship of the reinterpretation of tradition and ethical discourse.

**Hermeneutical Reconstruction and Discourse Ethics**

In his conceptualization of the potential public role of religious tradition, Francis Schuessler Fiorenza seems to conceive of tradition and public discourse as two poles in a dialectical process. He applies different concepts to explicate this relationship. On the one hand, he employs the opposition of “historicist” and “universalistic” approaches in political philosophy. While arguing, that the hermeneutical reconstruction seems more to be a historicist approach and, in turn, discourse ethics more a universalistic one, he is at the same time proposing to transform this dichotomy into a dialectical relationship:

> An approach that seeks to overcome the one-sidedness of each of these positions needs to develop a **dialectic** between the critical principle of Enlightenment rationality and the hermeneutical insight into the historical conditioning of reason and experience.

Unfortunately, he does not explain, what exactly is meant by “dialectic” or “dialectical relationship” in this context. Yet he suggests another oppositional analogy to conceptualize the relationship between particular tradition and universal reason. He uses John Rawls’ distinction between “thin” and “thick” conceptions of the good. A thin conception of the good in Francis Schuessler Fiorenza’s reading of Rawls would be something like the minimal “overlapping consensus” regarding fundamental principles of justice necessary for any political structure in society. A thick conception of the good would be one which is more fleshed out in form of a particular religious or moral tradition, compatible with the fundamental principles of the thin concept, yet much more extensive and comprehensive. In expanding Rawls’ definition he suggests a “dialectical relation between ‘thin’ and ‘thick’ ”:

> If the thin conception it what is essential to justice and the premises of primary goods, then fuller conceptions of the good should be consistent or should cohere with these essentials and premises. Likewise, the fuller conceptions will necessarily influence what is considered essential to the ‘thin’ conception of the good.

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27. Cf. Fiorenza: *The Church as a Community of Interpretation*, pp. 82f. There is also evidence in more recent writings by Habermas, that he himself would accept this argument (though this is no necessary validation of the theoretical argument). Cf. Habermas: *Israel und Athen*, p. 57.

28. Fiorenza: *The Church as a Community of Interpretation*, p. 81. Emphasis added MH.

29. Both quotations Fiorenza: *The Church as a Community of Interpretation*, p. 83. Why Francis Schuessler Fiorenza is interpreting the terminology of “thick/full” and “thin”, which one associates rather with Michael Walzer, as central categories of Rawls’ concept is not clarified by him. Though used by Rawls, they do not seem to be central for his thought.
What seems to be clear is that Francis Schuessler Fiorenza not only conceives particular tradition and reasonable discourse as two opposed entities, but also sees a significant difference in the mode of discourse employed in hermeneutical reconstruction on the one hand and discourse ethics on the other. Whether this differentiation is adequate has to be discussed more thoroughly a little bit later. Right now we still have to concentrate on the means to connect and bridge these different discursive camps.

In order to do so, Francis Schuessler Fiorenza borrows another concept from Rawls, the distinction of wide and narrow reflective equilibrium. For Rawls and other philosophers following him, a wide reflective equilibrium is a mode of justification in moral theory. “Considered moral judgments”, “moral principles” and “relevant background theories” should be brought into equilibrium in order to achieve justifiable moral judgments.30

Against this background it is somewhat confusing that Francis Schuessler Fiorenza seems to use the term “reflective equilibrium” slightly differently by “proposing that political theology use a broad reflective equilibrium that includes a reflective equilibrium between what is normative in a tradition (narrow equilibrium) with what is publicly normative through principles of justice, where mutual and reciprocal criticism takes place.”31 For his usage of the term “wide/broad reflective equilibrium” Francis Schuessler Fiorenza refers32 to the final chapter of his earlier work “Foundational Theology”.33

This is confusing since there he uses the concept of wide reflective equilibrium as a method of founding foundational theology; and in difference from the concept stemming from Rawls he suggests as constituents of the equilibrium the hermeneutical reconstruction of Christian identity, retroductive warrants and background theories.34 It is further confusing that he is deviating from his own (earlier) concept of wide reflective equilibrium without explaining it. In the discussed essay he is – as we have seen – proposing a wide reflective equilibrium between the reconstruction of what is normative in a tradition with the public principles of justice developed in discourse ethics as the structure of political theology.35


31. Fiorenza: The Church as a Community of Interpretation, p. 85. It is not indicated why “wide” is replaced by “broad”.

32. Cf. his note number 42 (p. 90).


34. Cf. Fiorenza: Foundational Theology, p. 301-311, here p. 306. As far as I see, he does not explain how he transforms the concept of wide reflective equilibrium from a philosophical method of justification into a concept for justifying foundational theology. The respective notes (152-154 on pp. 319f.) refer very generally to a variety of relevant texts.

35. In some earlier work he suggests an identical or familial relationship (this remains somewhat unclear) between foundational theology and political theology by designing “political theology as foundational theology”. Cf. Schuessler Fiorenza, Francis: Political Theology as Foundational Theology, in: Salm, Luke (ed.): Proceedings of the Catholic Theological Society of America 32, Toronto 1977, pp. 142-177. But this does not help to clarify the question at stake here.
One can conclude that Francis Schuessler Fiorenza is suggesting that there are two different kinds of discourse and they should be brought into a dialectical relationship by applying a wide reflective equilibrium. Beyond the aforementioned terminological and conceptual problems, the use of the concept of dialectic suggests that there emerges something new out of that relation. The thesis would be particular tradition, the antithesis universalistic reason and the synthesis “political theology”. But then the result would just be the concept for a specific mode of interpretation within a community/discourse of interpretation which could stand up against certain rational standards regarding their own understanding of what they would regard as ethically and morally desirable. Yet this concept does not suggest how political theology could participate in public discourse. This result is somehow at odds with the intention or at least the expectations awakened by parts of the argument. One expected and the author obviously intended not only to say something about the reinterpretation of tradition, and that in principle traditions under certain circumstances should be allowed to contribute to the public discourse, but also to illuminate how the latter actually would work. It is made clear how public reason should influence the hermeneutical reconstruction of tradition, but it is not yet clarified how the dialectically emerging political theology would be accepted on the fore of public reason.

This deficiency of the outcome seems to be related to the means employed. Why is it necessary to use two different concepts from Rawls to make an argument in a Habermasian theoretical framework? Is that possible at all? It seems to me that neither the notion of “thin” and “thick” concepts nor the usage of the concept of “reflective equilibrium” can help resolve the problems in arguments based on tradition in Habermas’ discourse ethics, although the concepts might be helpful in a liberal Rawlsian framework. They do not solve the problem, but just transpose it in a different frame of reference. But why then bother with Habermas at all?

An additional problem arises from the usage of the dialectic concept. If it is to make any technical sense, dialectic must relate two items (relata), and in Hegelian and Marxist understandings, lead to a third. Yet the relationship of universalistic reason and particular tradition(s) is multifold, since there are many of them, at least of the latter. This concept does not work for the given problem since universalistic reason cannot be uplifted (aufgehoben) in a synthesis with one specific particular tradition, at least under the condition of a plurality of traditions. The whole model remains unclear.

My reading of Francis Schuessler Fiorenza is that his subtitle “Political Theology between Discourse Ethics and Hermeneutical Reconstruction” is precisely what he wants to attempt. He wants to establish something in-between. Also following from my analysis, it seems that there are severe problems that occur with that endeavour.

36. This reading is supported by the following formulation from the introduction of the essay: “(R)eligious communities as communities of interpretation (…) seek a broad reflective equilibrium between the reconstructions of the normative potential of the tradition and the attempts to achieve a discursive consensus in regard to the principles of justice” (Fiorenza: The Church as a Community of Interpretation, p. 67).


38. This does not mean, however, that it would not be promising to relate Habermas’ principle “D” and Rawls’ concept of reflective equilibrium at all. But this would require deeper analysis and thorough explication.
3. Problems relating to the concept of the church as a community of interpretation

Francis Schuessler Fiorenza’s Concept of the Church as a Community of Interpretation

As I already indicated, it seems that Francis Schuessler Fiorenza does not really address the concept of “The Church as a Community of Interpretation” and is quite unclear on what is meant by this term. The problems with his concept of interpretation as political theology, outlined in the section above, also do not help to clarify the notion.

He pushes forward the argument that in Habermas’ “Theory of Communicative Action” (as well as in his works on "Discourse Ethics") there is a failure in the theory’s architecture to indicate the loci, where the processes of communicative understanding (kommunikative Verstaendigung) actually can take place in society. I do agree with this critique of Habermas and also with the explication by Francis Schuessler Fiorenza, that this includes the material aspects of location, human resources and institutionalized discourses, which enable people to develop the skills to take part in such communicative action and also the institutional guarantee for the duration of such discourses. I also think he is correct when he claims that religious bodies, such as Christian churches, can be such loci:

Habermas has, in severing his discourse ethics from any religious foundations and institutions, failed to provide an institutional locus, both social and cultural, for the discussion of moral-practical issues. He has not developed an adequate institutional base for discourse ethics. […] My proposal is that churches as communities of interpretation of the substantial normative potential of their religious traditions can provide one such institutional locus.”39

Notwithstanding, I do not think that he gives a sufficient argument for how they can do it, why it is important that they are communities of interpretation, and whether communities are the same as institutions, respectively, organizations.

A first problem is connected to the problems of the relationship between “Hermeneutical Reconstruction” and “Discourse Ethics”. The section just quoted, suggests that the church as community of interpretation provides an institutional/organizational locus for public discourse, meaning an “institutional base for discourse ethics”. This is in tension with the earlier phrasing, that “the role of religious communities as communities of interpretation is to engage in a critical reconstructive interpretation of their own normative religious and normative traditions […]”40, which is consonant with his understanding of reconstructive hermeneutics as something distinct from discourse ethics. Though there might be empirical evidence for both, in Francis Schuessler Fiorenza’s concept it is quite unclear whether he understands the church as a locus where merely the tradition is reconstructed or where public discourse is taking place as the institutional base of discourse ethics, or even both. Yet it would be necessary to clarify this, not only in order to justify this argument, but also in order to explicate the implications for the church. This, it seems to me is confused in Francis Schuessler Fiorenza’s essay as a result of the synthesis/confusion he attempts to establish between hermeneutical reconstruction and discourse ethics. Yet if the claim is made – and without it the whole argument would be in vain – that the processes of interpretation in religious communities can actually generate results, which might have an impact on the public

39. Fiorenza: The Church as a Community of Interpretation, p. 79.
40. Fiorenza: The Church as a Community of Interpretation, p. 67.
discourse (and maybe even the societal practice), the question of the institutional quality
of the community of interpretation is not unimportant.

Community as institution or organization or life-form?
If we want to identify more clearly the function the church can provide and/or claim in
modern society, it is necessary to state more precisely what we mean by terms such as
“community” or “institution” and “organization”.

The first problem we run into is that “community” in a technical sense is normally
used as a term identifying a form of sociality, which is pre-modern or even opposed to
“society”. Community in this sense is hierarchical, organized according to kinship rather
than according to formal rules; there is inequality along dividing lines perceived as
natural such as gender, age and there is not much space for individuality et cetera. Yet
there is also homogeneity and a comprehensive set of shared values.41 If we
conceptualize the church as a community in such a technical sense – and there seems to
be evidence that some understand church in this way and also that some churches appear
in this sense – one would have to convincingly make the argument that the church is a
social institution compatible with the structures of modern society. In terms of social
theory it is thus not clear what the term “community of interpretation” refers to.42

In many writings – including those of Habermas and Francis Schuessler Fiorenza – it
is a problem that the distinction between “institution” and “organization” is not always
made clear, and sometimes it is certainly difficult to make. But from a theoretical
perspective, it is important to stick to this distinction. In most social theories
“institution” is understood as a set of social rules for communication and action which
fulfill a certain societal function. We could call for example “property” or “labor” social
institutions. In contrast, factories or labor unions would be not called institutions but
“organizations”, since they are social systems based on specific rules of communication
and action yet also on a clear commitment to a certain aim which corresponds to clear
membership rules and regulations about the disposition of the resources employed to
achieve the specific goal.43 In the context of Christianity, “the church” can be seen as an
institution, or even “religion” can be seen as an institution, yet the different church
bodies, denominations and congregations should be referred to as organizations. Thus it
would be necessary to distinguish between what the church as an institution can provide
for public discourse and what churches as organizations have to offer.

42. This is true, even though Habermas uses the expressions “community” and “community of interpretation”
ocasionally. Yet, I would say, not in a terminological sense. He also uses “community of interpretation” for
the entirety of participants in the communication of the life-world. Cf. Habermas: Israel und Athen, pp. 56 and
62. I would claim that it would be more precise to substitute in this context either “life-form”, respectively
“institution” or in the latter reference even “cultural tradition.” It also seems that Francis Schuessler
Fiorenza’s use of community would apply more to the type of “sect” within Troeltsch’s typology than to the
(established) church. Cf. Troeltsch, Ernst: Die Soziallehren der christlichen Kirchen und Gruppen, GS I,
Tuebingen 1912.
43. I would also include in this criticism some of my earlier writing, for example Kontextuelle Theologie,
organisierte Religion und gesellschaftlicher Wandel. Die evangelischen Kirchen in der DDR und die
schwarzen Kirchen in den USA als Beispiele, in: Fechtner, Kristian; idem (eds): Religion in der Lebenswelt
44. Cf. for example Habermas: ThCA II, pp. 171f.
Finally, distinct from the above-addressed concepts, the notion “life-form” might be used to describe those kinds of durable cultural rules, communications, and practices which are necessary for the socialization and education of accountable human agents, able to engage in ethical discourse, act morally and sustain identity synchronically in various social contexts and diachronically throughout a person’s lifetime. Such life-forms are likely to be dependent on institutional as well as organizational supports.\(^{45}\)

In trying to apply these distinctions in the framework of Habermas’ “Theory of Communicative Action” we encounter various problems. The first two are connected. To begin with, Habermas does not provide for an elaborated theory of institution, although “institution” functions as a decisive concept in his theory:

Habermas as well as Weber did not develop a substantial theory of institution or institutionalization, though – and this is also a parallel to Weber – institutions and institutionalization play a central role in Habermas’ theory of society.\(^{46}\)

Secondly, he does not distinguish explicitly between “institution” and “organization”, though he has to do so implicitly.\(^{47}\)

On the one hand, institutions are important structures of the life-world which are supposed to participate in the reproduction process of the life-world by facilitating cultural reproduction, socialization and social integration (opposed to systemic integration ascribed to the “system”).\(^{48}\) Institutions in the life-world\(^{49}\) which are related to the social world ought to facilitate the coordination of action, as they deal with validity claims of rightness. They are supposed to regulate conflict in an increasingly complex society in order to facilitate social integration:

The institutionalization of a new level of system differentiation requires reconstruction in the core institutional domain of the moral-legal (i.e., consensual) regulation of conflicts. Morality and law are specifically tailored to check open conflict in such a way that the basis of communicative action – and with it the social integration of the life-world – does not fall apart.\(^{50}\)

Other institutions, such as family and property, but also with regard to social integration morality and law, play a dominant role in Habermas’ conception of the life-world.

But on the other hand, institutions also have the task of mediating between life-world and system.\(^{51}\) They, in Habermas’ understanding, institutionalize the rationality and differentiation of the system in the life-world, and in turn they are the venues by which normative consensus present in the life-world can influence the steering process of the system:


\(^{46}\) My translation of “Habermas hat zwar wie Weber keine eigentliche Theorie der Institution oder Institutionalisierung entwickelt, aber – auch das eine Parallele zu Weber – Institutionen und Institutionalisierungen spielen eine zentrale Rolle in der Gesellschaftstheorie von Habermas” (Gimmler: Institution und Individuum, pp. 145f.).

\(^{47}\) Gimmler: Institution und Individuum, p. 198. Unfortunately, it seems that Antje Gimmler imports this problem from Habermas into her treatise.


\(^{49}\) Gimmler calls them institutions of first order (p. 196).

\(^{50}\) Habermas: ThCA II, p. 173. Cf. Fiorenza: The Church as a Community of Interpretation, p. 68.

\(^{51}\) Gimmler calls them institutions of second order (p. 197).
The institutions that anchor steering mechanisms such as power and money in the lifeworld could serve as a channel either for the influence of the lifeworld on formally organized domains of action or, conversely, for the influence of the system on communicatively structured contexts of action. In the one case, they function as an institutional framework that subjects system maintenance to the normative restrictions of the lifeworld, in the other, as a base that subordinates the lifeworld to the systematic constraints of material reproduction and thereby ‘mediatizes’ it.

From this, one can conclude for a critical assessment of a “Church as a Community of Interpretation” concept that the church has to be understood as institutionalized communication based on the reinterpretation of religious tradition. As an institution in this sense (first order) the church participates in the reproduction of the life-world in all three structural fields: in the shaping of personal identities in processes of socialization and education, in the production of intersubjectively shared knowledge in the sphere of culture, as well as in the institutionalized normative social integration of society, all based on the reinterpretation of the tradition in discourses. As organizations, the various churches not only provide the resources for these purposes but can also function as the locus of public normative discourse in society, what Francis Schuessler Fiorenza refers to as the rational discourse of discourse ethics as opposed to “hermeneutical reconstruction.” That the churches actually do function in this twofold mode is shown by the findings of two case studies.

Taking Habermas’ theory of society seriously, this would not yet be sufficient, since all these functions are related to processes of communicative action or understanding within the life-world. When the steering processes of society increasingly rely on abstract steering media, described by Habermas as systemic communication severed from normative consensus, this level of the systemic reproduction and integration is immediately affected neither by hermeneutical reconstruction nor by discourse ethics, be it with a narrow or broad reflective equilibrium. Only if the transposing is achieved, via certain institutions, of the normative consensus of the life-world into the code of the abstract steering media of the system, then the decisive level of societal orientation is affected.

As we have seen, in his “Theory of Communicative Action” both morality and law are seen as those two privileged societal institutions able to influence systemic processes. However, in his more recent writings, especially in his monumental “Between Facts and Norms” Habermas seems to monopolize law as the only institution capable of transmitting normative orientation from the life-world into the abstract media communication of the system.

Thus, the church should be modeled as an institutionalized form of communication, one which participates in all three forms of reproduction of the life-world and at the same time influences via public discourse the institution of law with its normative discourse, in order to influence in turn systemic processes (second order). The conclusion is that the church has to be understood not as a community of interpretation, but as institutionalized discourse (based on interpretation).\(^55\) Following the proposal of Antje Gimmel, which alters and transcends Habermas’ concept, to understand a plurality of public spheres also as (necessary) institutionalizations of communicative action aimed at understanding, one could say that the church constitutes such an institutionalized public sphere.\(^56\) By the same token, the churches as organizations can provide loci of public discourse.

In this essay I argue that Francis Schuessler Fiorenza makes an important point: Christian theology has co-developed with modernity and is thus compatible with ethical discourses in modern societies. The public discourse might even profit from the contributions and insights of the reinterpreted ethical traditions of Christianity (or other religious bodies).

Yet I also show that his understanding of “political theology” based on a wide reflective equilibrium between the hermeneutical reconstruction of tradition on the one hand, and the rational principles of discourse ethics on the other, is not only rather vague, but also does not resolve the problem of how validity claims based on a religious tradition can be incorporated in the public discourse.

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55. This clarifying and specifying earlier thoughts, recently expressed in: Haspel, Michael: Die evangelischen Kirchen in der DDR. Zur Institutionalisierung einer öffentlichen Sphaere zwischen System und Lebenswelt, in: Behrends, Jan; Rolf, Malte; Rittersporn, Gabor (eds): Sphaeren von Öffentlichkeit in Systemen sowjetischen Typs, Münster, forthcoming. I would like to be more precise, yet I claim that it is not possible within Habermas’ work. It seems a risky assumption given the empirically verifiable tendency of an increasing commodification of the life-world’s spheres through the deregulated economy and at the same time of the theoretical challenges functional systems theory poses (cf. for example Luhmann, Niklas: Die Gesellschaft der Gesellschaft, (2 vol.), (Frankfurt a.M.: Suhrkamp) 1997).

56. Cf. Gimmler: Institution und Individuum, pp. 214-221. I cannot follow her understanding that individual human agents have to be seen as the driving force in this process (p. 221). This seems to me not meeting the theoretical standards of Habermas’ concept of society (as emergent structure of system and life-world). It also has to be noted that both Habermas himself (in Between Facts and Norms) and Gimmler tend to be in a way normative and deontological, prohibiting a descriptive assessment of the possibilities for influencing the system by communicative understanding in the life-world. The later Habermas and Gimmler (especially pp. 227-230) detach themselves from the insights of “Strukturwandel” and the “Theory of Communicative Action.”
In addition, we found that the notion of “the church as a community of interpretation” is not sufficiently explained and seems not to be an adequate concept for the church in modern society. The church should rather be understood as an institution or organization than as a community.

Francis Schuessler Fiorenza undoubtedly makes substantial contributions to the understanding of the church’s role and the potential of the Christian tradition in the ethical and legal discourses of modern society. The task remains, however, to develop these concepts further.