

Mark Gould

## Parsons/Habermas, Scientific Sociology/Critical Theory, and a Natural Law Theory of Morality

### Abstract

The foundational impulse in any critical theory is to provide a non-arbitrary standard against which contemporary social conditions might be assessed. The first critical theories emerged in what Jaspers called axial-age religions. Their critical standard was God's word, or our interpretation of what was taken to be God's word. This standard was absolute and unchanging; it defined an ideal against which the current social order (as well as individual actions) might be evaluated. For some this standard still holds, but for others its arbitrariness is manifest in the fact that "God" has spoken on several occasions and has contradicted herself often.<sup>1</sup>

Another candidate for an invariable standard has been articulated in welfare economics, neoclassical economic theory. It advocates a view that purports to be universal and, at its asymptote, unchanging. Unfortunately, even if we restrict ourselves to its economic application, it is grounded in erroneous assumptions, e.g. that all people at all times maximize against constraints, and its models work only under assumptions that are obviously untrue. Crucially, it has been demonstrated that many of the important conclusions in Arrow-Debreu models hold only under the assumption of perfect information (Stiglitz). Academic economics is, as Marx noted (of its earlier versions), a way to naturalize commonsense understanding within a capitalist economy, where actors are constrained to act efficiently/profitably, but it is not a standard of efficiency or effectiveness that transcends that setting, and it certainly does not specify moral absolutes.<sup>2</sup>

Apart from, although sometimes included within, a religious understanding of purportedly universal moral standards, are various notions of natural law. In such theories, when they are religious, God is understood to act justly and the standard of justice to

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<sup>1</sup> While it is fashionable to suggest that all religions are fundamentally the same, such arguments are grounded in wishful thinking. For an analysis that demonstrates that crucial differences among some world religions emerge from the different ways they select from fundamental building blocks of religiosity, see Gould, 2016. Muslims believe that all prophets preached the same message, but that the message delivered to Jewish and Christian prophets was corrupted, leaving only the Qur'an as the authentic word of God.

<sup>2</sup> "Welfare economics" is constructed out of microeconomic theory. Paradoxically, it may be argued, and I will do so in this essay, that it is macroeconomic theory, in something like its Keynesian version, that enunciates societal universals, a functional theory valid for all types of society.

which God adheres is recognized as accessible to all people independently of revelation.<sup>3</sup> Natural law is presumed to articulate a universal standard that is understood to be accessible to all persons. This paper discusses how we might articulate a theory of natural law grounded in sociological theory that might redeem this aspiration and serve as a scientifically credible standard against which we may assess a social order.

I begin by explaining why a natural law standard is essential in an evaluation of the validity of any set of social relationships, showing why a substantive standard is essential in any assessment of validity. This entails a critique of all procedural theories of morality, including the one Jürgen Habermas has articulated for modernity. I then show how Habermas redeems his procedural theory of validity through his contention that validity claims are inherent in all speech, and in his analysis of an ideal speech situation, where such claims might be redeemed successfully. In this way, even if unintentionally, he constructs a natural law argument that allows him to both abandon and redeem the notion of "critical theory" that he adapted from the Frankfurt School.

Habermas's argument requires him to see the process of social development as immanent in any social order, a development constrained only by institutional barriers, distortions (*Legitimation Crisis, Theory of Communicative Action*). While Habermas's argument is brilliant, it commits the Enlightenment fallacy, arguing, if sometimes implicitly, that knowledge sets you free. I contend that we must rethink Habermas's understanding of social science if we are to provide an adequate natural law theory, one that redeems the promise of "critical theory," providing both a standard by which we might evaluate the present and, at the same time, a model of how we might construct a better future.

The articulation of a defensible natural law theory entails the explication of an integrated functional, structural and developmental social theory, demonstrating how this theory enables us to vindicate the notion of natural law. Such a social theory is grounded in the Action Theory/Systems Analysis of Talcott Parsons, although we will see that it transcends his work. We may draw from him a characterization of functional theory, which formulates societal universals, propositions intended to be valid across all societies, and a developmental theory that is embedded in functionally-defined concepts. However, to characterize the nature of the stages within this developmental theory, we draw on Marx and Piaget, showing how the selection of Piaget as a model, instead of Habermas's selection of Kohlberg as a model in his developmental theory, is crucial. The natural law standard articulated in this three-dimensional theory is characterized in the final stage of social development; this social structure serves as both a normative and a practical evaluative standard.

In this paper, instead of focusing overtly on Habermas's and Parsons's arguments, our characterizations and critiques are manifest in the rational reconstruction of those arguments. Importantly, I make manifest the importance of an unambiguously scientific understanding of social theory, showing how this understanding is manifest in Parsons's, but not in Habermas's, social theory, showing its relevance for a social scientific historiography that has ambitions to make normative claims.

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<sup>3</sup> The alternatives are forms of moral voluntarism, where God's expectations and actions are taken to be just.

