

## The Development of Human Life in Enrique Dussel's Politics of Liberation

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### English Abstract

Enrique Dussel's politics of liberation is motivated by an ethical commitment to promote the production, reproduction and development of all human life in community. This essay interprets practical reason in Dussel, from its origins in the human will to live to its ethical commitment to liberatory praxis. The first section introduces some of the ethical motivations of Dussel's critique of the global capital system. Section two shows how Dussel's ethical hermeneutics and analectic method evokes co-responsibility for the liberation of the victims of the prevailing system. Section three describes the community of human life that seeks liberation from corrupt constituted power. Section four shows how the material, formal and feasibility principles are related to each other and to the liberatory project. The essay concludes with a summary of how these three ethical principles advance the development of human life.

### Resumen en español

La política de liberación de Enrique Dussel es motivada por un compromiso ético de promover la producción, reproducción y desarrollo de la vida de cada sujeto humano en comunidad. El presente ensayo interpreta la razón práctica en la obra de Dussel, desde sus orígenes en la voluntad humana de vivir hasta su compromiso ético con la praxis de liberación. La primera sección presenta algunos de los fundamentos éticos de la crítica que plantea Dussel del sistema de capital global. La segunda sección muestra la forma en que la metodología de ética hermenéutica y analéctica de Dussel evoca una corresponsabilidad por la liberación de las víctimas del sistema predominante. Sección Tres describe la comunidad de vida humana que busca liberarse de la corrupción del poder constituido y la Sección Cuatro muestra la forma en que los tres principios--material, formal y de factibilidad--se relacionan entre sí y con el proyecto de liberación. El ensayo concluye con un resumen de la forma en que estos tres principios promuevan el desarrollo de la vida humana.

### Resumo em português

A política de libertação de Enrique Dussel é fundada no compromisso ético de pôr em execução a produção, a reprodução e o desenvolvimento da vida de cada ser humano em comunidade. O presente ensaio interpreta a razão prática na obra de Dussel, desde as origens na vontade humana de viver até o seu compromisso ético com a práxis libertadora. A primeira seção apresenta algumas das motivações éticas da crítica que Dussel faz ao sistema capitalista global. A segunda seção tem como objetivo demonstrar como a ética hermenéutica e o método analéctico de Dussel evocam co-responsabilidade na libertação das vítimas do sistema prevaiente. A terceira seção descreve a comunidade humana que visa a se libertar do corrupto poder constituído. A

quarta seção mostra como os princípios materiais, formais e factíveis são relacionados entre si e em relação ao projeto liberatório. O presente artigo é concluído com um resumo sobre como estes três princípios éticos promovem o desenvolvimento da vida humana.

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## I. Ethical Motivations

Enrique Dussel's politics of liberation is motivated by a profound ethical commitment to the victims of the capital system. Dussel speaks to us from the global South, where the millions of formerly excluded and oppressed in Ecuador, Bolivia, Venezuela, Brazil, Nicaragua, and other nations are presently laboring to bring a new, humanized world into existence. These Others, who are now protagonists of their own futures, insist on national and regional independence from the hegemony of empire and on constructing economic models that place human development before private accumulation. Dussel argues that the human will to live and develop in community which motivates this continent wide liberation movement is universal and therefore finds expression in every culture and in every nation on earth.

When we approach the thought of Dussel, it is important to resist enframing his opus in a single philosophical tradition; he is a great synthesizer and visionary, his thought ever evolving from the point of view of those who seek to recuperate their constituent power from corrupted constituted power. For this reason, to enter into dialogue with Dussel's thought is no mere intellectual exercise. One can only apprehend practical truth from a lived experience of solidarity with a political community that challenges the economic and social structures that generate so many victims. This political community of victims and their allies aim at transforming the prevailing system in order to make it possible for the large majority to live and develop their full potential. One such community is the continent wide Bolivarian movement that has built the integrating power of the Bolivarian Alliance for the Peoples of Our America (ALBA), the Union of South American Nations (UNASUR), the Community of Latin American and Caribbean States (CELAC) and the social movements, Indigenous nations, and other popular sectors that mobilize behind or alongside these associations.

Dussel's critique of neoliberal economics and coloniality is inspired by the emancipatory traditions of Latin American liberation movements, their culture, theology and philosophy; a profoundly humanist re-reading of Marx; and a critical dialogue with a diversity of philosophical and religious traditions. Dussel's liberatory thought also engages in a critique of those features of the Eurocentric narrative that have been and continue to be used to justify the subjugation of Indigenous, Afro-descendent, and other peoples since the late fifteenth century. As philosopher Don T. Deere points out, "by understanding modernity from its 'planetary horizon' we are able to see the conditions

upon which Europe situated itself as the exclusive domain of pure thought and pure being reducing the rest of the world to the barbarian, marginal, exterior. It was this spatial colonization of center over periphery that has dominated modernity and must be overcome with a project of liberation". This modernist European narrative, now typified by a U.S. exceptionalism that has lost all moral credibility, is being contested by the emerging voices of "the victims and the oppressed, the exterior or the periphery" (Deere 2013, 7). In 2006, referring to the pink tide (left and center left forms of governance) in Latin America, Dussel refers to the "new popular experiences with alternative social economies" that have emerged in the region during the last two decades:

The elections of popular leaders and candidates, the renewed production of foundational documents, projects for educative, industrial, and ecological policies, and concrete proposals—these all must be the fruit of democratic procedures with a symmetrical horizontalism involving the participation of all members, and especially the representation within political parties of neighborhood communities, base committees, and open popular councils, in which direct democracy teaches the humble citizen how to truly participate in popular politics. This participation should then be equally organized 'upward' to constitute Citizen Power, as the supreme Power controlling all other State Powers. (TTP, 15.3.4, 101)

The notion that citizen power can become the "supreme power controlling all other state powers" is not a mere dream. For example, the building blocks of community councils and their combination in 1,173 (at this writing) communes are under continuous construction today in Venezuela. Also, there are thirty six Indigenous nations that are recognized in Bolivia and the formerly excluded majority of the population now have more of a voice in governance at all levels of society, including the executive branch.

Dussel, who writes with a consciousness of the social debt that ought to be urgently paid to the millions of dispossessed people, is not inventing a politics of liberation, but interpreting some of the ethical motivations of the democratic revolutions underway in two thirds of Latin American nations. Our task is to interpret, along with Dussel, such motivations in so far as they are guiding and driving forces behind the politics of liberation. For Dussel, there is a common human sensibility that is capable of forging bonds of solidarity with the victims of the prevailing system in order to advance human life and the development of that life in community. We will briefly enter into Dussel's ethical hermeneutics and analectic method in order to begin to trace the path of practical reason from its discovery of the material ethical principle to its engagement in liberatory praxis.

## II. Ethical Hermeneutics and the Analectic Method

As Michael D. Barber points out in *Ethical Hermeneutics* (1998), Dussel's early work employs an ethical hermeneutics that takes up "the hermeneutic position of the oppressed" in a manner that "fuses Levinas's ethical passion with the hermeneutics of Martin Heidegger . . ." (xviii – xix). Dussel uses the terms "system," "world," or "totality" to refer to the lifeworld of objects as they are constituted by the hegemonic perspective

of any given socio-economic order. With regard to the prevailing global capital system, the totality contains a network of utilitarian values projected onto objects, and human beings are generally either included among those objects as resources for the production of economic value or relegated to redundant labor. For the poor and dispossessed, there is a type of break down in the system that is more than just a malfunction of some particular tool; there is a socio-economic structural problem that causes a constant draw on their very ability to live.

In the case of a totality that makes it impossible for the majority to live and develop their full potential, the victims and those who stand in solidarity with them are likely to call into question the practical viability of the entire system. "When suffering becomes unacceptable and intolerable from the perspective of the victims," argues Dussel, "oppositional social movements emerge within the empirical political field—alongside which critical theories emerge that are organically linked with them" (TTP, Part 2, 69). Oppositional movements that challenge an oppressive system also contest the self-justifying ideology that supports the hegemonic consensus. For example, the champions of the neoliberal gospel often claim that there is no viable alternative to the free market, free trade, economic model. But in truth the reproduction of the capital system is not empirically necessary; it is only one possible realization of the real, one possible economic and social model. A different sort of social, political and economic arrangement is possible, and from the point of view of the victims, ethically necessary.

In *Philosophy of Liberation*, Dussel maintains that "every horizon is the being that grounds everything included in its sphere" (5.2.4, 158). As such, horizons include the structures that determine human economic and social relationships. One of Dussel's fundamental insights is that there is an outside to any given totality or horizon. "Exteriority" argues Dussel, "is the sphere located beyond the foundation of totality. The sphere of exteriority is real only because of the existence of human freedom" (5.3.1, 158). Dussel is referring in particular here to the freedom of the lived human body to take a critical stance towards the totality in which he or she lives: "The analectical refers to the real human fact by which every person, every group or people, is always situated 'beyond' (*anó-*) the horizon of totality" (5.3.1, 158).

To be "situated beyond" the prevailing system is to transcend it. The incarnate human will to live is reflexive—able to reflect on itself and on the horizon within which it must reproduce its material existence. As reflexive, the will to live develops the capacity for practical reasoning and deploys this rationality to advance the reproduction and development human life. Again, it is from a perspective outside of the totality that practical reason can take up a position of critical reflection on that totality. But what exactly is this outside? The outside of the totality is not spatial; it is an interiority constituted by the intersubjectivity of those whose very lives are negated by the prevailing system. As we shall see, it is from within this outside of the totality that we may encounter the Other and become aware of our co-responsibility along with the Other to address the systemic causes of so much human suffering.

This awakened alienated constituent power (what Dussel calls *potentia*), in the exterior of the system, has a voluntarist component. It does not rest in a belief that social and economic justice will inevitably be achieved by the unwitting servants of a World Spirit. It does not passively await a saving power to deliver it from oppression. It is deeply suspicious of the argument that an “invisible hand” is at work in free markets. And it does not subscribe to the view that there is no viable alternative to the neoliberal regime.

It is a great irony that in the same year, 1989, in which Francis Fukuyama published his essay “The End of History?” there was an uprising by the popular sectors in Caracas against a neoliberal reform package imposed by then Venezuelan President Carlos Andrés Pérez. From the point of view of the politics of liberation, the rebellion (called the *caracazo*) signaled what Alain Badiou (2012) has called a rebirth of history, not the end of history. This break in the hegemonic consensus happens when, as Dussel describes it, the “life-conserving drive becomes an extraordinary vital impulse” and “tears down the walls of Totality and opens a space at the limits of the system through which Exteriority bursts into history” (TTP, 12.1.3, 78-79). It is by entering into solidarity with the excluded and denying the practical truth of the prevailing system that a politics of liberation engages in critically tearing down the wall of totality.

It is important, at this juncture, to distinguish the politics of liberation from the politics of liberalism. From the perspective of the moral wasteland of liberal discourse, it is not possible to experience or clearly distinguish the systemic nature of exclusion because the liberal narrative itself is built on the foundation of an apologetic for the prevailing system. As such, the liberal class remains caught up in the hermeneutic circle of the self-justifying ideology of capital. The hegemonic narrative of liberal political discourse seeks to retain U.S. and European moral exceptionalism and its supremacist narrative and to link, in some rehabilitated form, the concepts of freedom, liberty, and justice, to policies that favor transnational private interests over the common good. The ideological hold of this narrative has been severely weakened by a counter discourse that exposes the underside of exceptionalism: universal surveillance, patriarchy, racism, and growing social and economic inequality. For Dussel, the politics of liberation contributes to this counter discourse by exposing the contingency of the oppressive hermeneutic circle of the prevailing capital system.

The analectic method introduces the notion of an exterior to the totality, and in particular, to the socio-economic system. For this method to get underway, practical reason affirms the human autonomy and will to live of which it is the reflection and rejects the hegemonic instrumental reason that imposes utilitarian values on human beings in the service of capital. Dussel gives credit to the philosophical project of the first Frankfurt school for exposing the anti-human consequences of instrumental reason in the service of capital and “real” socialism (the socialism of the Soviet Union and Eastern Europe under its domination during the last century). Critical theory can still be employed to show that the inner logic of global finance capital which aims at unlimited accumulation is not a viable economic model for the greater part of humanity.

One of the shortcomings of critical theory, for Dussel, is that it does not offer a positive systemic alternative for the oppressed Other encountered in the exterior of the system (EL, [227-41] 234-49; see Marsh 2000, 60-61). It does not build a new consensus and an alternative economic system to contest the denial of life suffered by the oppressed. As Dussel declares in an early article on the ethics of liberation, "negation of oppression begins with the analectical affirmation of the . . . exteriority of the other, through whose project the negation of the negation and the building of new systems is put into effect" (Fundamental Hypotheses, 143).

In *Ethics of Liberation in the Age of Globalization and Exclusion*, Dussel is in dialogue with the thought of Emmanuel Levinas, and in particular, the recognition of the Other as a self transcending being that resists complete objectification. Dussel offers a concrete example of how persons have both inter-systemic (objective) and extra-systemic (transcendent) dimensions. Within the totality of the lifeworld the Other is routinely seen in his or her functional role, in the manner in which he or she fits into the instrumental network. The driver of the taxi, says Dussel, is merely an extension of the means of transportation and the cook a means towards the production of food: "It seems difficult to detach other persons from the system in which they are inserted" (PL, 2.4.2.1, 40). Yet this routine encounter with the other can rupture at any time revealing the exteriority of the Other, that is, his or her transcendence or being-more-than an instrumental cog in the system: "The face of the person is revealed as other when it is extracted from our system of instruments as exterior, as someone, as a freedom that questions, provokes, and appears, as one who resists instrumental totalization. A person is not something, but someone" (PL, 2.4.2.2, 40).

It is in this exterior of the system that the interiority of the other, his or her freedom and will to live, or in the Marxist sense, his or her living labor (*trabajo vivo*), prior to being instrumentalized, objectified, and exploited for the generation of surplus value, is revealed. The initial encounter with the Other is a type of non-cognitive sensibility to the Other that happens prior to reflection and therefore prior to conceptual analysis. In the face-to-face encounter with the Other, one either turns away or takes responsibility for the Other (and here the Other is never just an individual but a community of human life). Opting in favor of the production, reproduction, and development of the life of the victims of the prevailing system is what motivates the critique of the system and the struggle to transform it in solidarity with the Other. (PL, 5.3.2, 159; see also EL, [267-76] 278-90). For this reason Dussel calls the encounter with the Other in the exterior the "a priori of every ethics" (EL, [286] 301).

### III. The Community of Human Life

As we have seen above, Dussel maintains that there is an outside of the prevailing system in which we encounter an intersubjective community of human life. Dussel employs neurobiological evidence to argue that the will to live and develop in community is *universal*, and therefore it is realized or suppressed to some degree in

every culture, in every totality (see EL [59-73] 57-69). The concrete lived human body is not merely ontic, that is, not merely the appearance of an object in the horizon of a utilitarian network. Beyond the hermeneutic circle of any given horizon, the lived body is also the expression of an autonomous self transcending subjectivity that may be encountered from an analectical perspective (PL II, [366] 352).

The analectic method begins with the pre-cognitive response to the face-to-face encounter with the Other in the exterior of the prevailing oppressive system. If we opt for solidarity with the Other, we realize our co-responsibility for the well being of the community of human life; this responsibility includes carrying out analyses of those structures of the system that make it impossible for the victims to live and develop in community. One such analysis is that of Marx's critique of capital.

For Dussel, Marx's humanism recognizes a distinction between the exteriority of living labor (*trabajo vivo*) and its alienation in the act of production (*trabajo objetivado*) (TEP, 2.12, 27; 4.31, 59; see Barber 1998, 90-109). Dussel maintains that for Marx, human beings are not reducible to objects because they exist for themselves (as living labor prior to objectification) and are therefore aware of their will to live and develop. This humanistic dimension of Marxism includes a commitment to an ethical principle; "What is of interest to Marx," argues Dussel, "is a *material, universal criterion of the life of the subject*, beyond every culture or economic system" (EL, [138] 132). The fact that capital alienates the very life force of the worker in the act of production does not mean the laborer is turned into a mere object by capital; there is always a residue of consciousness, of being-for-oneself and therefore the potential for developing a critical ethical consciousness with regard to the origin and source of one's exploitation and dehumanization. Such a critical ethical consciousness, argues Dussel, is able to discover the three main principles of an ethics and politics of liberation.

#### **IV. The Three Main Principles of a Politics of Liberation**

For Dussel, the three main principles of a politics of liberation are: the material ethical principle, the formal principle, and the principle of feasibility. All three principles together are the means by which the community of victims and their allies can bring about a world in which all persons can live and develop in community. Dussel insists that the material principle does not have priority over the formal and feasibility principles, though he concedes he gave that impression in *Ethics of Liberation* due to the order of presentation there (PL II, [379] 383; see Marsh 2000, 62). So let us see how each principle complements the others and how together the three principles advance the liberatory project of transforming the totality into a new world in which all persons can live and develop in community.

At a first approximation, the material ethical principle is "the obligation to produce, reproduce, and develop the concrete human life of each ethical subject in community" (EL [57] 55). The formal principle is the manner in which the material

principle is applied (see EL, [89] 81). In particular, the material ethical principle ought to be realized in praxis through democratic procedures in which all participants have an equal voice. The strategic or feasibility principle states that what is decided democratically and in conformity with the material ethical principle, given the actual balance of political, social, and economic forces, ought to be achievable. In the *Politics of Liberation II*, Dussel recognizes additional features of a politics of liberation, but we will not discuss these here as they are ultimately reducible to these three.

The three principles mutually inform each other. The material ethical principle is applied in practice through the formal procedures of rational discussion among equals. In *Ethics of Liberation*, the formal or procedural principle gets its basic direction from the material principle; this means deliberations by constituents about norms and institutions are to be guided by the objective of building a world in which all persons can live and develop their full potential ([113] 106-07; [130] 124). The feasibility principle is not absent from formal deliberation because what is democratically decided by a community of equals in accordance with the material principle ought to be achievable. Excessive adventurism or passive resignation could undermine the transformative potential of democratic procedures. The material ethical principle is applied by the formal and feasibility principles and the latter two principles are informed by the material ethical principle, that is, by the imperative to advance human life. We will now consider each principle and their relationships in more detail.

### *The Material Ethical Principle*

Chapter One on the “material moment of ethics, practical truth” of the *Ethics of Liberation* opens with the following statement: “This is an ethics of life; that is to say, human life is the content of ethics” ([57] 55). The material ethical principle is that what is good is what promotes the production, reproduction and development of human life in community. Dussel describes the human will to live “as a force and a capacity to move, to restrain, and to promote. At its most basic level this *will* drives us to avoid death, to postpone it, and to remain within human life” (TTP, 2.1.2, 13). In *Ethics of Liberation*, Dussel argues that the obligation to reproduce and develop life is initially experienced in a pre-reflective manner by the lived body. This is why Dussel is careful to say the will to live is an obligation that can be “made explicit” when one becomes reflectively aware of the will to live in oneself. Humans do not just decide, based on a mere concept of life, that they ought to live. We find ourselves already engaged in life, already committed to survival, and thus, upon reflection we find ourselves already responsible for this life into which we have been thrown.

The human reflection on its lived body is not that of a Cartesian ego that is substantially (metaphysically) distinct from the body. Nor is this reflection the work of Kant's autonomous practical reason that apprehends the categorical imperative, free from the passions of the body and the exigencies of natural law: “It is precisely here where the ethics of liberation departs from Kant and reconstructs universally and rationally the material level” (EL, [119] 113). More directly, it is human life itself, aware of itself as an effort to reproduce itself, immersed in a world that presents opportunities for

thriving as well as threats to well being. As James L. Marsh (2000) points out, for Dussel:

Because our lived body is already making evaluations about what is good and what is bad, what is health and what is unhealthy, and because our lived body spontaneously desires to live, ethical reasoning simply unfolds and makes explicit the spontaneous evaluation already going on. Ethical reasoning simply takes up and subsumes and integrates this spontaneous bodily evaluation into a complex human context; the evaluation is not simple or merely animalistic. (54)

Practical reason is the will to live that has become aware of itself as an obligation to persevere and develop, but it is not, for Dussel, a function of a solipsistic *res cogitans*. We produce the material conditions for our survival through our sociality, and in particular, through cooperation and a division of labor. If practical reason were essentially centered only on itself it could not give rise to a sense of co-responsibility. Here we recall our discussion of the face-to-face encounter with the Other in the exteriority of the system but focus now on the emergence of ethical consciousness at the moment of mutual recognition.

It is the lived body, which as a living thing seeks to constantly reproduce its very life, that responds to the appeal of the Other who also seeks to reproduce his or her own life: "The demand of the *ought-to-live* of life itself can be made *explicit* from the *living reality* of the human subject, precisely because *human* life is reflexive and self-responsible, taking into account the autonomous and solidaristic will it engages in order to be able to survive" (EL, [110] 102). The will to live, for Dussel, is not a Nietzschean will to power, nor is it merely at the service of Shopenhauer's species will, but rather it is a "solidaristic will" (EL, [243-50] 250-60). The interest of life in its perseverance in community is the very heart of practical reason itself. Practical reason, argues Dussel, is the cunning of life ([73] 69).

Practical reason, in order to advance its end (practical truth) which is the production and reproduction of human life in community, ought to build the sort of institutions that make this end possible. Just as the animal wrapped up in the immediacy of its environment transforms its source of nourishment into its own living body in a metabolic relationship to nature (and of course, the organism is itself part of nature), the human being transforms nature too, but with the added dimension of the mediation of social and economic institutions (see Mészáros, 2015). These institutions divide the labor of creating the necessary and sufficient material conditions for the reproduction of human life. Despite the effort of humans to reproduce the material conditions of their own lives, the prevailing capital system makes it impossible for hundreds of millions of persons to live and develop their full potential.

As Marxist philosopher István Mészáros (2015) points out, the political command structure of the capital system builds institutions that alienate human beings from control over the means of production and over the process of production and exchange. In this process of alienation, capital generates social antagonisms that it cannot resolve. Dussel emphasizes that in this process of the alienation of labor, capital appropriates

the very life force of human beings in order to create surplus value, giving rise to millions of victims. The capital system, which exploits natural resources in pursuit of unlimited accumulation also undermines the metabolic relationship of humans to the ecosystem, causing environmental devastation, including global warming and the enormous waste of finite natural resources. For Dussel, in order to preserve humanity from collective suicide and overcome alienation, the human community of life must apply the material ethical principle in a praxis that has procedural validity. It is to the formal ethical principle that aims at such validity that we now turn.

### *The Formal Ethical Principle*

Chapter II of *Ethics of Liberation* is entitled “formal morality, intersubjective validity.” Whereas the material ethical principle is that we ought to promote the production, reproduction and development of human life in community, the formal principle provides the procedural rules and conditions under which the community of human life ought to deliberate in order to realize the material principle in praxis. Intersubjective validity is attained through democratic procedures in which there is communication among persons who recognize each other as equals; in this way, everyone’s argument is to be heard and considered. What is democratically decided using the formal principle ought to be informed by the material ethical principle as its motivation. The ethics of responsibility informs formal morality by giving rational debate a general direction; “it creates the requirement or responsibility of the historical transformation of institutions with an aim to reach symmetry among its participants in the future” (EL, [134] 127).

At this point we ought to briefly refer to Dussel’s ongoing debate with the discourse ethics tradition (most notably, Karl-Otto Apel and Jürgen Habermas). Discourse ethics, argues Dussel, relies too heavily on the fact that rational communication presupposes certain necessary conditions without which such communication would break down. These rules of the communication game include equal consideration of each interlocutor’s argument. But discourse theory does not sufficiently consider that some interlocutors simply cannot participate as equals because they first must become more equal in economic and social terms. Everyone at the table should have been able to obtain proper nutrition, shelter, and dignified work prior to the conversation. For Dussel, democratic participatory deliberation should be considered as a means by which a community of human life may advance its interests and overcome the oppression it suffers due to the prevailing system (EL, [134-35] 127-28). While democratic procedures require that everyone have an equal voice, “the acknowledgment of the ethical subject *as equal* is an exercise of ethical-originary reason . . . prior to the use of discursive reason as such” (EL, [157] 151).

### *From Ethical to Political Principles of Liberation*

Before considering the principle of feasibility, we will first examine the expression of the material and formal principles in the political context. In the second volume of *Politics of Liberation*, Dussel insists that “the normative question in the political” is of the

utmost importance: “Without those [the political principles] neither citizens nor professional politicians in general, are able to exercise delegated political power, that is, any liberation whatever” (PL II, [365] 347). The liberatory political principles, informed by and analogous to the ethical principles, obligate the political community of the formerly excluded to build institutions based on democratic procedures (PL II, [366] 350-52; see also TTP, 9.1, 56-61). What is called valid behavior in building a democratic consensus is called political legitimacy in the faithful exercise of delegated power (TTP, 10.1.1, 62-63). In both cases there is obedience to the will of the consensus of *potentia* (constituent power). Both the concept of validity and the concept of legitimacy, then, have a normative component.

Dussel argues that “the very act of decision to determine how representatives of a constituent Assembly are elected is already a moment of the exercise of the normative procedural principle” (PL II, [375] 372). The consensus of the political community that founds the constituent assembly is not itself founded through an explicit social contract, for then that contract itself would require some other pre-constitutive consensus for its own establishment: “The whole question raised by the ‘contractualists’ refers, in the last analysis, to the existence of an original consensus from which is derived political institutionality. This original consensus, however, is never an effect of an historical act, as though it were a decision to constitute from zero a political community” (PL II, [383] 396). This original consensus of the political community is a “sovereign power” (*la potestad soberana*). The original consensus provides the basis of law because it is the expression of popular autonomy and freedom ([385] 400). The term *potestad soberana*, then, as used here, refers to an original sovereign power that exists prior to the establishment of formal institutions. Moreover, Dussel insists, *potentia* “is not an initial empirical moment in time but rather a foundational moment that always remains in force beneath institutions and actions (that is, beneath *potestas*)” (TTP, 3.2.2, 21). It is the original sovereignty of the political community that, when assenting to the promulgation of a law, lends legitimacy to that law. Sovereignty belongs first and foremost to *potentia*, and only in a derivative and conditional way, to institutions, including the state.

For Dussel, this notion of the sovereignty of the originary power of the political community (*potentia*) resolves the practical problem of contractualism whereby the general will, having irrevocably surrendered its power to a sovereign, then stands at the mercy of that power. The potential problem of such a surrender is that the corrupt sovereign may take itself as the point of reference for the exercise of political power rather than the lives of constituents. Political power, however, is not surrendered by *potentia*, but rather conditionally delegated to the constituted power. Moreover, the delegation does not end with one solemn act such as an election; conditional delegation continues throughout the exercise of constituted power. Disobedient constituted power betrays the conditional delegation. The tendency of institutional actors towards reference to themselves as the source of power is at once the misappropriation of the delegated power of *potentia* and the corruption of *potestas* (TTP, 3.33, 23). The recuperation of corrupted constituted power by *potentia*, therefore, is a major concern of the politics of liberation.

### *The Recuperation of Constituted Power*

While the formal principle applies and is guided by the material ethical principle, the moment of institution, even if generated by authentically democratic procedures, is also the moment of potential corruption. For Dussel, corruption cuts both ways: *potentia* is corrupted by allowing disobedience of *potestas* and constituted power is corrupted by taking itself as the point of reference for the exercise of political power (TTP, 1.1.5, 4). Should *potentia* seek redress against the corruption of constituted power, such power may cede to constituents through systemic reform. But it may also continue to turn against constituents by resorting to coercion: "When the oppressed and excluded achieve consciousness of the situation, they become dissidents, and the dissidence leads the hegemonic power to lose its consensus, and without obedience this power becomes fetishized, coercive, repressive" (TTP, 12.2.1, 79-80). Dussel uses the term "fetish" to refer to the self-referential nature of corrupted institutions. The point of the negative dialectic (the critique of the prevailing corrupt system) is to expose the fetish by drilling down into the self-referential nature of the coercive power.

Dussel describes in concrete terms, referring to the autobiography of Rigoberta Menchu, how the awakening of the oppressed to the fetishized power of corrupt states and institutions can lead to an organized critical dissensus of those excluded by the system (EL, [282-88] 296-303). This dissensus seeks to recover the delegated, but now corrupted, self-referential and therefore fetishistic power of the state. Further, the dissensus then seeks to transform the prevailing socio-economic conditions, to a model that makes it possible to realize the material ethical principle. This does not mean that those who are excluded by a corrupt system now seek inclusion; that would only coopt the newly included constituents into a system that continues to produce victims. As Deere points out, for Dussel, "A humanistic and reformed capitalism that would live up to the ethics of liberation is not possible; instead, a new system of producing and reproducing the flourishing of human life must be created through the struggles that emerge from the community of victims" (2013, 16). Dussel is not advocating subscribing to either social democratic or conservative principles. No, it is not exactly inclusion or reform that is sought, but transformation.

In *Ethics of Liberation*, Dussel indicates that reform of a system that is intrinsically antagonistic to those whom it exploits leaves in place the instrumentalization or exclusion of the victims (EL, 6.3, [366-73] 388-99). And in *Twenty Theses on Politics*, Dussel clearly states, "The excluded should not be merely *included* in the old system—as this would be to introduce the Other into the Same—but rather ought to participate as equals in a new *institutional moment* (the *new* political order)" (14.1.3, 89). Those who recognize the excluded Other, therefore, recognize that the difference of the Other (that is, a difference from those who enjoy the fruits of alienated labor) requires the "creation of a *new* community, a new institutionality..." (TCPP, Ch. VIII, 1. Part A, 164). We have seen such refounding of nations with the new constitutions in Venezuela (1999), Ecuador (2008), and Bolivia (2009). These, of course, were only new beginnings, but ones that, despite the difficulties and imperfections, retain the political protagonism of

*potentia*. Not all *potentia*, however, develops into a liberatory force. For one may opt to turn away from the look of the Other in the exterior of the system and betray the interests of the victims.

Dussel introduced a complication into the concept of *potentia*, distinguishing *hyperpotentia*, which is the “power of the people,” from a *potentia* that has become corrupted and has turned against the popular sectors: “The power of the *people*—*hyperpotentia*, the new power of those ‘from below’—becomes present from the beginning, in its extreme vulnerability and poverty, but is in the end the invincible force of life ‘that desires-to-live.’ This Will-to-Live is more powerful than death, injustice, and corruption” (TTP, 15.0.2, 94-95). *Hyperpotentia*, is still, in some sense, a form of *potentia*, but a *potentia* that is deeply concerned about the corruption that has politically captured constituted power.

Not all constituents take issue with the corruption of constituted power. Some just accept it. Some apologize for it. But *hyperpotentia* engages in the analectic method to form a dissensus because the current system makes it impossible for the victims to realize themselves, or even worse, in some cases, to survive. Dussel refers to the convergence of social movements and popular forces arising from *hyperpotentia* as the “analogical hegemon” or “social bloc of the oppressed” (TTP 11.3, 11.3.1, 75). It is a bloc with liberatory potential.

There is a dialectic at work in the clash of *hyperpotentia* with the corrupt state and the social and economic institutions that systematically generate victims. In response to the challenges posed by *hyperpotentia* to the fetishized power of the corrupt state, the state in turn may either implement reforms or step up its repression in an attempt to regain a dissolving political hegemony and prevent the formation of a new hegemonic consensus. This dialectic can take many forms, and both the dominated and dominators, using different points of reference for what is legitimate and lawful, seek to do what is feasible to advance their respective objectives. There ensues a struggle over the successful projection of democratic legitimacy. In the battle between the old corrupt system and the new emerging dissensus, the horizon of hegemonic consensus becomes fractured and its self justifying ideology is increasingly called into question by constituent power. This is the moment of crisis for the old hegemonic consensus and an opportunity for the growing dissensus of constituent power to become a new hegemonic consensus (see Dussel on Gramsci, EL [380-83] 406-09).

A politics of liberation seeks to build a new consensus that will transform existing institutions and build new ones that are obedient to constituent power (TTP, 4.2.2, 26). Such a transformation will not come about either through the left wing anarchism that rejects a positive role for institutions nor the right wing anarchism of “unregulated” markets (TTP, 7.3.1, 47; 14.2.2, 90). Dussel rejects the former because the division of labor and functions that can provide for communal needs requires institution building (TTP, 3.2.3, 22; 3.3.2, 23). Dussel rejects the latter, because the mythical unregulated market itself, enforced by capital’s obedient executors within the state and mediating institutions, reproduces inequality. The conservative, who thinks the prevailing system

cannot be improved upon and the anarchist who does not want to risk building institutions both close off the empirical possibility of radically improving the chances of those who have been excluded and exploited to live and fully develop their potential in community (TTP, 7.2, 45-46). Such skepticism about politics benefits those who profit from the status quo. For liberatory theory and praxis, the politics of liberation is a noble vocation and “above all that action that aspires toward the advancement of the life of the community, of the *people*, of humanity!” (TTP, 9.3.4, 61; see also 13.2.4).

To be sure, Dussel is not a utopian in the naïve sense of the term. In *Ethics of Liberation*, Dussel argues that “it is empirically *impossible* that any norm, act, institution or system of ethicity *could be perfect* in its implementation and consequences” ([268] 279). This means every system will claim its victims. The solution is not paralysis and cynicism, but rather constant self criticism and correction (see TCPP, Ch. 1, part 1, 2.1.3, 84). The politics of liberation then, seeks to realize only what is feasible, and it is to a closer look at this concept that we now turn.

### *The Feasibility Principle*

The global capital system makes it impossible for the majority of human beings to live and develop their full potential in community, and this puts the prevailing system at odds with the material ethical principle. As Marsh (2000) points out:

A social system that is logically, empirically, and technically possible might be ethically impossible, in the sense that many or most of the people living under this system are not able to live and develop adequately and to participate equally and fully. Currently the principle of free market competition works for the top 10-20 percent of the population but not for the starving majority; or it works for the North but not the South. A system is ethically impossible if it cannot produce, reproduce, and develop the human lives of all in the community and if it does not allow all to participate equally and fully. Capitalism in this sense, although it is logically, empirically, and technically possible, is ethically impossible. (58)

Capitalism is ethically impossible because its inner logic of endless accumulation and the subordination of public to private interests produces millions of victims and devastates the ecosystem.

The political-strategic reason of Dussel takes the balance of forces in any given context of oppression as the object of deliberation with the goal of determining what is feasible praxis to advance the material ethical principle: “Politically effective action, from a strategic point of view, ought to ponder the structures of forces in play, ought to analyze the state of the exercise of power at any given moment, in order that the intervention have a result of stabilization or transformation . . .” (PL II, [419] 477). Dussel argues that strategic reason is restricted to what is achievable, to what is consistent with the material ethical principle, and to what can be done effectively ([414] 470-72). The determination of what is feasible, for Dussel, must take into account “the community’s own strengths, its organizations, and the conjunctures most favorable to it” (EL [390] 418-19).

During moments of eroding democratic legitimacy of constituted power strategic reason faces great challenges. The fetishized power of the state, being fully exposed and losing its hegemonic grip on the minds of constituents, only has raw force as its last resort to hold onto power. But the exercise of coercion only further erodes the democratic legitimacy of the state and legitimizes the growing dissensus of the oppressed (TTP 6.3.1-6.3.6, 40-42). “Their critical consciousness creates a *critical* consensus within their oppressed community, which now stands opposed to the *dominant* consensus from a position of dissidence. I am referring here to a ‘crisis of legitimacy’ and a ‘crisis of hegemony’—the moment of chaos that emerges prior to and in anticipation of the creation of a new order” (TTP, 12.2.2, 80; see also 16.1, 103-07). The intermediate period of the eroding legitimacy of the established system and the emerging legitimacy of the new political actors pits the interests and the rights of different factions against each other. “The time of a change in power” says Dussel “is at the same time, a change of legitimacy” (TCPP, Ch. VIII, part 3, 168). The conservative, argues Dussel, will deplore the chaos created by the emerging power bloc, while for strategic reason, this episode of chaos is necessary for the liberation of those excluded by the increasingly illegitimate, fetishized and coercive power of corrupt state actors and institutions.

## V. Towards Practical Truth

The politics of liberation aims at exposing the manner in which the prevailing system alienates human life and it works at building a new world in which all persons can live and develop in community. The material ethical principle provides a moral compass for the formal democratic procedures, and these procedures in turn, give legitimacy to the decisions that are made, that is, to the actions and institutions brought about by those procedures. The formal principle, however, without being oriented by the material principle may very well be legitimate, but at the same time it may be unjust. For example, a majority may decide to oppress a minority, thereby violating the universality of the ethical principle. And the democratic principle, without being guided by strategic reason to decide what is feasible, will have legitimacy but make foreseeable practical mistakes. For this reason, Dussel argues that “a *legitimate* decision according to the democratic principle can be unjust, inadequate, contradictory from the material point of view or from the point of view of strategic feasibility...” (PL II, [395] 424). Strategic reasoning determines the field of possibility, but the formal procedures, guided by the material ethical principle, decide which of the feasible alternatives ought to be pursued. The three principles taken together, inform the ethical political praxis of the community of victims and their allies.

The prevailing global capital system lacks practical truth because its inner logic makes it impossible for millions of human beings to live and develop their full potentials in community and is devastating the world's ecosystems. By transcending that inner logic (from an analectic perspective), critical practical reason may engage in a critique of those structures of the system that produce an ethically impossible lifeworld. The

emerging community of victims and their allies can then practice a politics of liberation by employing procedural and strategic reason to replace the oppressive socio-economic structures with participatory, democratic socialist models that affirm the autonomy, diversity, and the full development of all of human beings on the planet (see TTP, 11.1.3, 72; 11.3.1, 75; 16.3.3, 107).

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