

What Gamwell does, in effect, is to show that there is a metaphysics of distinctively human existence and an ethics corresponding thereto. This he does by transcendental arguments from any claim to moral validity to its meta-ethical implications or presuppositions, which cannot be denied consistently with making or implying any such claim. He then shows how these meta-ethical implications or presuppositions in turn imply a minimal ethics, i.e., the universal formative principle of communicative respect, which is articulated in certain universal human liberties/rights/duties, public as well as private, as well as a democratic form of government.

But, surely, the same conclusion could—and, arguably, should—be reached by arguing, not from moral validity claims in particular, but from any validity claims whatever—as Apel appears to confirm when he says, “All beings who are capable of linguistic communication must be recognized as persons since *in all their actions and utterances* they are potential participants in a discussion” (quoted in “The Purpose of Human Rights,” *Process Studies* 29, 2 [Fall-Winter 2000]: 332; italics added).

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