

Social Freedom and the Demands of Justice: A Study of Honneth's *Recht Der Freiheit**

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Introduction

During the last two decades a new paradigm in social and political philosophy has emerged, centering around claims to recognition. The recognition paradigm is explicitly meant as a Hegelian alternative to the Kantian liberalism of (the early) Rawls and Habermas. Authors such as Charles Taylor, Nancy Fraser and Axel Honneth have attacked mainstream liberalism for being insufficiently attentive to the demands of recognition. In his most recent voluminous work *Das Recht der Freiheit* (RF),¹ Axel Honneth brings his version of this paradigm to full fruition. Criticizing Kantian theories of justice, he develops an alternative theory of justice, modeled on Hegel's *Rechtsphilosophie*. In this paper, I will scrutinize Honneth's latest work to see whether he offers a promising alternative to mainstream liberal theories of justice. Two questions are key: in which respects is Honneth's alternative distinctive from the Kantian mainstream (diagnostic question)? And, in so far as it is, how strong is its criticism of the Kantian approach, and is its own Hegelian approach more attractive (evaluative question)?

Honneth's latest work is especially well-suited for this task since he himself claims, more explicitly than in earlier work, that his theory in RF is to be understood as a theory of justice competing with those of Rawls, Nozick and the like. Moreover, the fact that in his introduction he mentions Michael Walzer, David Miller and Alasdair MacIntyre as authors who have earlier attempted to bring Hegelian proposals into the debate, shows that he sees his work as a contribution and challenge to the analytical, largely Anglo-Saxon tradition on justice. In contrast to his seminal *Struggle for Recognition*, RF does not (primarily) offer a social theory explaining the grammar of claims made by social movements. Rather, Honneth now aims for a *normative political* theory, which helps us identify and justify the norms, principles and institutions that govern a just society. He complains that Walzer, Miller and MacIntyre, who all started from 'existing institutions,' have failed to show that these institutions are 'rational or justified' (RF 16). Honneth clearly does not want to fall prey to the usual accusations of relativism and wants to confront the justificatory task head on (even if the Hegelian alternative will take existing institutions more seriously than Kantian theories are supposed to do). This is the high standard he sets for himself and to which we can hold him accountable.

The paper is built up as follows. First, I introduce two key differences between Honneth and the Kantian theories of justice he wants to defeat. Substantively, Honneth criticizes the Kantian concept of 'reflexive freedom' and proposes instead as the core of his own theory the concept of 'social freedom,' in which his older theory of recognition resurfaces (Section 1). Methodologically, he proposes a method of 'normative reconstruction,' which is explicitly developed in contrast to Kantian constructivism (Section 2). In the first two sections, I will try to get as sharp a grip as possible on these distinctions, and see what exactly makes both the social concept of freedom and the reconstructive method different from their Kantian counterparts, on Honneth's own self-understanding. Thus these first two sections are largely diagnostic. The second part of the paper then takes upon itself the evaluative task. Here I

will see how strong Honneth's proposal is by studying what it leads to in the practical part of his theory. The final and largest part of Honneth's book consists of a reconstruction of the norms implicit in the three spheres in which social freedom should be realized: the personal sphere of family and friendship, the economic sphere of the market, and the political and public sphere. I will restrict myself to a closer look at Honneth's discussion of the economic sphere (Section 3) and see how his reconstructive method (Section 4) and his conception of social freedom (Section 5) stand up to his own ambitions in this sphere.

To anticipate, my main conclusions will be 1) that Honneth's historical reconstructivism is too weak to support his substantive normative positions; to justify these positions he implicitly needs to rely on the kind of constructivist methodology that he explicitly rejects, and 2) that the concept of social freedom either collapses in the concept of reflexive freedom he finds wanting, or else is more controversial than he makes it seem.

1. Reflexive versus Social Freedom

The first part of Honneth's book consists of a general discussion of the concept of freedom. He notes that an intimate link has been forged in the modern era between the concepts of freedom and justice. In the modern consciousness the question whether social institutions are just is increasingly measured in terms of whether these institutions allow citizens to live a free or autonomous life (RF 35–40). At the same time, the bare concept of freedom or autonomy is too thin to determine what exactly this demands of these institutions. A more specific conception of freedom is needed (RF 41). At this point, Honneth turns to a discussion of three conceptions of freedom, which have been historically most promising.

First he discusses negative freedom, using Hobbes and Nozick as his main examples. He finds the negative conception defective because it gives too narrow a view of the interests of citizens. Theories of negative freedom often use the device of a social contract. All of the morally relevant features are projected into a hypothetical state of nature (RF 54). In the case of these theories of negative freedom, people in the state of nature are only considering their 'purely individual calculations of utility,' so that politically they are only interested in the 'protection of their own space for free action' (RF 55). Honneth claims this construction is too narrow, since it doesn't allow people to see themselves as co-authors of the laws that govern them. So Honneth criticizes negative freedom in the name of political autonomy. But he also thinks it is too narrow because negative freedom doesn't consider the intentions or motives on which people act. Even if guided by whims and emotions, they are considered free. This criticism, then, leads him to consider a more positive conception of freedom, which Honneth calls 'reflexive autonomy.'

Honneth's discussion of reflexive autonomy is more complex. He starts with Rousseau and attributes to him the distinction between autonomous and heteronomous actions. One's actions should not only be unconstrained from the outside, but a free person can, in addition, understand his actions as emanating from his own will. He rationally identifies with his actions because they are not merely caused by natural forces like our desires and inclinations (RF 60, 177). The Rousseauian conception can be further developed in two directions, that of Kant or Herder. Either one understands autonomy as practical reason's self-legislation, or as the articulation of one's authentic wishes (in the following I will leave the second strand out of consideration). Kant, first of all, argued that if one asks oneself for a guide to one's actions, there is no other principle available than that of universalization: we can only rationally will a principle that all other rational beings would also be willing to follow. Second, such a principle of universalization is identified with respect for others as an end in

themselves. As soon as we ask whether others could agree with my action, we respect them as an end in themselves (RF 64–5).

Honneth's main motivation for rejecting reflexive freedom and moving to social freedom rests on what I will call his *incompleteness objection*. Just as Honneth launched his criticism against the conception of negative freedom from the standpoint of reflexive freedom, so too does he criticize reflexive freedom from a third standpoint, that of social freedom.² As we saw above, negative freedom was incomplete from the standpoint of reflexive freedom in that it only recognized external, but not internal obstacles to self-determination. But proponents of self-determination (reflexive freedom) neglect the social conditions of its realization:

Neither of the two models of reflexive freedom views the social conditions necessary for exercising the relevant kinds of freedom as being, themselves, constituent components of freedom. This basically means that the theories of reflexive freedom pull up short, just at the point when the conditions come up, by virtue of which the process of realizing freedom, as characterized by those theories, can ever actually come to completion. Indeed, it seems almost artificial the way in which these accounts of freedom refrain from addressing the institutional forms and actualities that always have to be added to the initial process of reflection, if it is ever to be carried to a successful conclusion. (RF 79).

It is hard to separate Honneth's objections to this 'logic of retrospectiveness' (*Logik der Nachträglichkeit*) from the methodological objection about the emptiness of Kantian theories (which I will discuss in the next section). Nonetheless, I believe they can be separated, to the extent that, whether or not the methodological complaint holds true (i.e. even if a Kantian theory would be able to include social conditions necessary for autonomy), these social conditions would not be included as constitutive parts of freedom itself. This of course raises the question why such an inclusion is warranted.³

Honneth's answer to that question again relies on an analogy with the objection to negative freedom. He states that a person who is autonomous in the reflexive sense (i.e., has triumphed over the heteronomy of his will) is still confronted with an 'objective reality,' which itself 'has to be interpreted as completely heteronomous' (RF 83). The objection against negative freedom was that it failed to reach into the inner depths of the person's will; the objection against reflexive freedom is that it fails to reach into the external reality where any internally achieved reflexive freedom has to be realized (RF 83). External reality itself should be 'subjected to the criterion of freedom' and 'freed of all heteronomy and coercion' (RF 84). Honneth proposes to understand this, following Hegel, in terms of mutual recognition⁴:

Seen this way, "mutual recognition" refers in the first instance to the reciprocal experience of being affirmed in the desires and aims of the Other insofar as their existence represents a condition of the realization of one's own desires and aims. On the condition that both subjects recognize the interdependence of their ends . . . , a previously merely reflexive freedom is expanded to an intersubjective freedom.' (RF 86).

Honneth distinguishes his 'strong' version of social freedom from a 'weak' version. On the weak reading, which he identifies with Joseph Raz, external reality should be included in the sense that autonomy is incompletely theorized where the social resources necessary for its realization are left out of consideration (RF 90). Here Honneth refers to Raz's thesis that 'a person can have a comprehensive goal only if it is based on existing social forms, i.e. on forms of behavior which are in fact widely practiced in his society. 'The mutual dependence of reaching one's individual goals and existing social forms makes it necessary to recognize these social forms as conditions of autonomous choice. However, for Honneth there is still a deep cleavage between identifying social reality's role in

offering ‘conditions for autonomy’ and the Hegelian intuition which animates the stronger reading.

The stronger and Hegelian reading is that ‘the world of objectivity should meet the individual’s striving for freedom halfway, in the sense that it [the world of objectivity] wants out of itself, what the subject reflexively intends’ (RF 91). This condition is fulfilled when other subjects belong to an objective reality ‘whose ends require that the first subject does precisely that which it intends to do’ (RF 91). In short, what is required is mutual recognition, a reconciliation between subjects, and between subjective freedom and objectivity. Honneth goes on to identify this with a process of learning and socialization in which subjects come to attune their ends to each other (RF 92–3). Of course, such processes can always go wrong; Honneth recognizes that social reality can exhibit social pathologies. The challenge then, is to identify the norms that should *inform* external objectivity so as to realize social freedom. That task is addressed by Honneth’s methodology, to which I turn in the next section.

Before I do so, however, it is important to emphasize what is at stake with the move from reflexive to social freedom. Honneth’s general reflections about the reconciliation of the aims of different subjects are rather abstract. In particular, it remains unclear to what extent individuals need to bend to the dictates of norms and practices that they encounter in social reality in order to reach their goals. In his introduction to the third part of his study, it becomes somewhat clearer what he has in mind. Honneth explains there that in the three spheres of social freedom (personal relations, the market, democracy) individuals recognize each other in the sense of attributing to each other a certain social status or social role. This seems to be similar, Honneth argues, to what happens when people recognize each other in the merely formal spheres of law and morality (that Honneth has treated earlier), but there is an important difference. In the spheres of law and morality, the acknowledgment of social status merely serves to guarantee the opportunity for being able to step back and criticize social reality from one’s own independent point of view. In the spheres of social freedom, by contrast, individuals depend on each other for formulating and realizing their intentions in the first place (RF 223–224).

The fact that others depend on me for realizing their aims, means that the social role which I take up in these spheres cannot be without a binding character. Indeed, Honneth states that social roles are accompanied by social duties, which constitute a context-bound morality that is not centered on individual self-determination but on the realization of the aims of the specific cooperative practice that subjects are engaged in together. Is this a restriction of one’s individual freedom in the name of a higher freedom? On the one hand, Honneth emphasizes that the institutions of law and morality make it possible for every individual to criticize personal, economic and political practices. The latter need a ‘reflexive consent’ (RF 226) for their stability. Now more than ever, the exact content of one’s social roles is not determined by tradition but are rather up for debate, conflict and change. On the other hand, it remains true that these social duties require of each to practice ‘individual self-limitation’ (RF 227). The key point is that where social freedom is realized, individuals happily take up the duties that come with their social roles and do not experience them as something in conflict with their personal goals but as a ‘social embodiment’ of these goals (RF 227).

Honneth’s view is by no means an idiosyncratic one. Although I cannot show this here, a structurally similar conception of social freedom is also the center piece of other neo-Hegelians, like Frederic Neuhouser, Robert Pippin, Robert Brandom and Michael Hardimon. As I have shown, at stake is the viability of a form of theorizing, which not only rejects an atomistic view of freedom and accepts an extensive package of social conditions for the

realization of personal autonomy (like for example those of Joseph Raz or the approach Honneth takes in an article together with Joel Anderson),⁵ but also takes the further and more radical step of incorporating these conditions as part of the ideal of freedom itself. In taking this step, freedom is transformed from the capacity to reflect on the justifiability of one's social roles, to a social role itself, which one can only fulfill as long as others ascribe this role to oneself. One only is a free agent to the extent that one is recognized as such by others.

2. Constructive versus Reconstructive Method

Honneth's exposition of the reconstructive method is at all points interwoven with a criticism of the constructivist method, which characterizes the Kantian theories and which Honneth seeks to defeat. I will first give a brief summary of Honneth's statement of his reconstructive method and then discuss the differences with Kantian constructivism.⁶

In his introduction Honneth sums up his approach in four premises. The first premise is that every society reproduces itself by adhering to certain ultimate values (RF 18–19). The existing order always has to be made acceptable to its members by a legitimization of certain ethical values (he identifies this premise with Parsons). The second premise states that a theory of justice should identify those values or ideals, which are essential to social reproduction (RF 20). This requires a 'normative reconstruction' of all 'social routines and arrangements' (RF 23) to see which ones are essential to social reproduction. The third premise states that this requires a social analysis that reconstructs social reality so as to identify which practices and institutions can contribute to the social values identified earlier. Here it is important to see that these values need to be realized not only in principles and norms, but also in habits and routines (RF 24–26). The fourth premise states that this involves criticizing existing reality where it fails to actualize its potential to realize these values to the fullest extent (RF 27–28).

Later, when explaining his concept of social freedom, Honneth deepens his methodological account. Here he speaks of finding an 'equilibrium' between 'historical givens' on the one hand and 'rational considerations' on the other hand:

By way of an ongoing corrective comparison between, on the one hand, reflections on the question of which aims individuals ought reasonably to pursue and, on the other hand, empirical considerations as to the socialization of needs and desires within modernity, what gradually emerges are the ends that subjects must realistically follow to be able to realize themselves in the given circumstances. (RF 106).

Of course Hegel understood this process in a strongly teleological sense, in which his own time was at the forefront of progress in realizing social freedom, and could therefore confidently identify the modern family, civil society and state as the core institutions realizing such freedom. When the idea of an objective spirit progressing in time falls away, Honneth maintains, this can only be understood in the weaker sense that where citizens actively uphold the institutions of their social world, they are apparently convinced of their normative superiority over earlier institutions (RF 111–112).⁷ Honneth criticizes Hegel for thinking that early 19th century institutions represented social freedom in *optima forma*. Such an end of history is unavailable, since the dominance of negative freedom and reflexive freedom in modern culture means that the institutions of social freedom are always capable of being criticized and overthrown. Modern people can retreat into their private sphere and/or critically evaluate existing personal relations, market interactions and political developments. In this

way these institutions are continuously being tested and challenged. As a consequence, normative reconstruction has to start afresh in each age (RF 115–7).

At several points Honneth compares his reconstructive method to its main rival, Kantian constructivism. Honneth draws the contrast at two points, which I will refer to as the superfluity objection and the emptiness objection.

The *emptiness objection* works by identifying constructivism with a procedural method. Only those norms are taken to be valid which represent the outcome of an idealized collective procedure of will formation. This may generate some general principles of justice, maybe even identify some basic rights, but largely leaves the further ‘concretization of justice’ in the hands of a process of collective self-determination (one might say: actual politics)(RF 73; cf. also 39). Constructivist theories remain largely restricted to formal principles. According to Honneth, this has the disadvantage that these theories will confront the question whether their normative requirements are feasible in a later, separate stage of application. But at that stage it may appear that the ideal principles of justice are completely ‘disconnected’ (*haltlos*) from social reality, and therefore useless (RF 119; cf 14).

The *superfluity objection* states that Kantian constructivism on closer scrutiny is parasitic on normative reconstructivism. Whatever normative principles it grounds, these are in fact (whether one acknowledges it or not) always taken from a historical reconstruction of the ideals of modernity. This complements the emptiness objection, which claimed that the constructivist’s normative principles lack application to real world phenomena. The superfluity objection states that these principles themselves are taken from a reconstruction of real world historical processes:

‘Rawls’s theory of justice and Habermas’s theory of law and democracy are both good examples of proposals that rely on a historical congruence between independently generated principles of justice and the normative ideals of modern societies. The difference with such theories consists of the fact that we have to forgo, following Hegel, the step of preceding our immanent analysis with a freestanding, constructive grounding of norms of justice; an additional justificatory step of that sort is *superfluous*, if it can be shown, in the course of reconstructing the meaning of currently dominant values, that they are superior to historically earlier ideals of society or “ultimate values.” Of course such an immanent approach ends up taking on board an element of historical-teleological thought; but this kind of historical teleology is *unavoidable*, precisely to the extent that it is also presupposed by those theories of justice that posit a congruence of practical reason and existing society.’ (RF 21–22). [italics added by me]⁸

Constructivists are thus reconstructivists in disguise. This diagnosis informs Honneth’s endorsement of Hegels’ critique of the social contract. Such a contract presupposes the existence of fully free individuals even though these individuals only come into being after the social contract has been concluded and just institutions have been implemented (RF 104, 108, 114). The principles of the contract cannot be anything else than a reconstruction of the norms implicit in the institutions in which the contracting individuals already live.

3. The Market Sphere

I now turn to Honneth’s discussion of the economic sphere. This is an interesting part of his project to focus on for two main reasons. First, it has been one of Critical Theory’s key ambitions to be able to explain and evaluate the pathologies of capitalism. After a period in which identity politics was dominant, it has again become important to see how Critical Theory can take up this task anew. Second, the market is often seen as a value-free sphere

(more so than the family or the political sphere). It is therefore a good test case for Honneth, who presupposes that the market is – just as much as these two other spheres – a value-laden realm in which social freedom must be realized.

Honneth's discussion of the economy consists of a reconstruction of the history of two specific types of markets, i.e. consumer markets and labour markets. These reconstructions are preceded by a general discussion of the economic sphere, in which he defends a version of the 'moral economy' tradition. His purpose is to criticize the market as a sphere in which the impersonal forces of demand and supply determine outcomes, without taking into account any additional moral considerations that exchange partners might raise. In the critical theory tradition, such a quasi-automatic system account of the market has of course been put forward by Habermas. Honneth explicitly wants to distance himself from this legacy (RF 347). Following Hegel, Durkheim, Polanyi and others, Honneth maintains that the market is always embedded in social norms, value orientations and institutions, which restrict the pure forces of demand and supply. He takes as his proof for this position the history of counter-movements (Polanyi), which have criticized the socially destructive effects of capitalist society as it emerged from the eighteenth century onwards (RF 323–325).

A major problem for this tradition, as Honneth recognizes, is how we can understand these embedded values (he also speaks of 'pre-contractual rules of action,' RF 331) as somehow internal to the market itself, rather than being added to the market from the outside (which would imply that the market itself is norm-free). A functionalist answer to this question cannot be right, since the market has survived perfectly well without substantive normative restrictions for large parts of the nineteenth century. Instead Honneth introduces a position he calls 'normative functionalism':

The point of reference for such a functionalist analysis should not be the mere existence of such an institutional sphere, but rather the values or norms it embodies, insofar as they are considered by members of society to be preconditions for their willingness to consent. Taken this way, Hegel's and Durkheim's analyses would amount to the claim that the reason why the market order depends on an "ethical" [sittliche] framework of pre-contractual action norms, is because that is the only condition under which the market can count on securing the agreement [Einverständnis] of all participants; like all other social spheres, the market requires the moral consent [Zustimmung] of all participants, so that the conditions necessary for its existence cannot be described in independence from the supplementary norms that, in the eyes of the participants, render the market legitimate in the first place (RF 332–333; cf. 346).

This normative functionalist requirement is in turn reinterpreted in terms of social freedom. When market participants orient their actions in terms of strategic calculations they express their negative freedom (RF 348). Only when a richer array of moral norms is attributed to the market, does the market sphere realize social freedom. Economic actors have to understand each other as 'members of a cooperative community,' before they can 'mutually grant each other the right to individual utility maximization on the market' (RF 349). Honneth proceeds to argue that the history of consumer markets and labour markets shows that certain moral requirements have time and again been put forward by social movements as necessary counterparts to the logic of demand and supply. Honneth identifies several periods of greater resistance to the pure market, each time followed by periods of stronger *laissez-faire*, until at some point resistance resurfaces again. Currently, we have again entered a period of *laissez-faire* in which a deeply pathological, disembedded market fails to realize social freedom.

I will not attempt to recount this history. Instead, I will focus on the result — the idea of social freedom that emerges out of this reconstruction. Roughly, it consists of two parts.

On the one hand, social freedom is specified in terms of the need for individuals to be organized in groups. In his general discussion on moral economy Honneth mentions Hegel's endorsement of corporations and Durkheim's preference for professional groups as instances of this (RF 350). In his discussion of consumer markets, he points at the emergence in the nineteenth century of consumer associations which made consumer decisions a social matter (RF 378). Later these associations declined, so that now consumers are facing producers individually, not as members of a collective (RF 386 and 399). Similarly, Honneth sees the organization of labourers in trade unions as an important step towards the realization of social freedom (RF 423). On both consumer and labour markets, Honneth documents and welcomes the emergence of social rights. However, he emphasizes the fact that these are always individual rights, leaving the individual standing alone against corporate power. This, too him, is unsatisfactory. Individuals should find a home in groups (both as consumers and as laborers) in order to realize social freedom in the market.

On the other hand, Honneth specifies social freedom in terms of substantive norms needed to correct the market. By way of example, let me mention the main moral norms that Honneth identifies as 'normatively functional' to consumer markets (a similar set of norms emerges from his discussion of labour markets). First, some objects or services should not be for sale (he mentions the history of battles against the commodification of alcohol, sexual services and body parts). Second, price formation should not be left to the market where essential goods (like food or houses) are at stake. Third, there are limits to luxury consumption, as has been argued by ecologically or religiously inspired movements. Fourth, sometimes collectives (like cooperatives) should act on the market instead of individuals (RF 382–4). Currently, after a period of deregulation and with the growing power of transnational corporations, Honneth maintains that each of these four criteria are being massively violated. The consumer sphere therefore is anything but a realm of social freedom. Rather, consumers are at the hands of powerful corporations, lacking any kind of organization which could provide a countervailing power (RF 405–7).

With this brief overview in mind, we are now in a position to evaluate Honneth's contribution. How does Honneth's analysis of the market shed light on his more general theoretical ambition to develop a reconstructive method which presents the social conditions for social freedom as part of the concept of social freedom itself? Is this an improvement over the Kantian concept of reflexive freedom and its method of moral constructivism? I will start with the methodological side of the debate and only later return to the substantive issue of social freedom.

4. Evaluating the Reconstructive Method

The reconstructive method relies heavily on Honneth's identification of the social movements which have emerged during the development of capitalism and the objections they have voiced. In this section, I will criticize this dependence on social movements as insufficiently stable ground to succeed in his proclaimed aim of avoiding the charge of relativism. I will argue that on closer inspection Honneth's reconstructive method is parasitic on the moral constructivist method and not the other way around

Throughout Honneth's lengthy reconstruction of both consumer and labour market movements, it remains unclear on what basis he decides to take certain movements as raising normatively valid criticisms of a disembedded market. The objection against commodifying certain goods is very different from the objection that the market sometimes fails to satisfy each person's basic needs. And these are both very different from the objection that there are

(natural or religious) limits to consuming goods, and again from the objection that the market presupposes individual actors. One could endorse one or several of these objections but not the others, and one could endorse each of them on the basis of several (otherwise distinct) normative theories. But Honneth doesn't discuss the pros and cons of each of these objections, or the underlying normative theories. He only endorses these norms in a very general sense. This feeds the suspicion that he endorses them only *because* they have been raised by certain countermovements to the systemic norm-free view of the market. However, such a general preference for anti-market norms should be argued for rather than presupposed.

In this regard, it is hard to avoid the impression that Honneth only mentions those social movements which fit his preconceived normative position. Methodologically he commits himself to a procedure which relies on seeing historically voiced concerns about capitalist society as at least an indication that (social) freedom is in danger. But he only mentions some social movements, not others, without explaining his choice of this selection. Why, for example, doesn't he mention the present-day American Tea Party movement?⁹ It surely is a social movement, which raises concerns about the way the market should be organized. For example, it vehemently denies the right of the government to coerce people to purchase health care. It has arguments for these kinds of claims (or at least certain philosophers could be pointed to as rationally defending their claims). Even if substantively they argue in favour of negative freedom, this doesn't mean that they don't fit Honneth's idea of social freedom. For the Tea Party adherents have their own view on the market as a form of social cooperation (albeit of an antagonistic form; in the same sense in which dueling football teams are cooperating to make the game possible). In that sense they do see their fellow-citizens as 'cooperative members' in the market sphere and thus consider this sphere to be legitimately instituted. They exemplify the recognition logic Honneth requires.

Honneth faces a dilemma here — whether to elaborate his normative functionalism in a more contractualist or a more substantive direction.¹⁰ A contractualist interpretation would stress the agreement of market participants (see the quote in Section 3). They need to conclude a general contract about the appropriate conditions of the market before they start making all kinds of market contracts with each other. But (apart from the fact that this is uncomfortably close to his own criticism of social contract methods . . .) this leaves Honneth at the mercy of what citizens actually take as necessary presuppositions for the market to function well. Maybe the current era simply is a phase in which most citizens (with the Tea Party at their forefront) are morally committed to deregulated markets where everything is for sale. To escape this horn of the dilemma, Honneth would have to take his normative functionalism into a more substantive direction, showing which countervailing norms the market really ("objectively") needs to function well. I think this is the way to go. Here, however, he would have to rely on his own (in contrast to: the historical social movements') argument about why certain norms and not others are normatively justified. In other words, here Honneth would have to engage in an exercise of moral constructivism: showing which norms are necessary in the market sphere for persons to be able to function as autonomous agents.¹¹

At this point, it may be instructive to mention how Honneth thinks moral constructivists would have to treat the market. As we saw, he claims that it is inherent in their method that they first set up their principles and then apply them to certain problem areas. This implies, according to Honneth, that the constructive method has to give up a social analysis of its own. In the economic context he repeats this allegation and objects that the constructive method would have to accept the picture of the market that has been given by contemporary neo-classical economists (RF 318–319). It is unclear to me why Honneth thinks this is the case. Why does constructivism have to accept the economic view of the market as it is? Rather, it

seems to me that the analytical literature on distributive justice comprises a cottage industry of attempts to justify (egalitarian) norms, which would curtail the market.¹² Unfortunately, Honneth doesn't even start to discuss the main theories of justice that have been proposed after Rawls (from Dworkin to Sen, from Van Parijs to Cohen, etc.), even though he sees his own theory as an alternative to these theories.

My point is not that Honneth's substantive conclusions are wrong (indeed, I would agree with much of what he says). The point is that the justification of any norm for the market sphere (once one agrees that the reference to some social movement defending that norm is insufficient) needs an argument in its favour. The analytical literature has provided extensive arguments for and against all kinds of norms, and Honneth's case, in so far as it fails to provide such an argument, indirectly relies on those who have done so.¹³ Here he would also have to face those who claim that the market should not be restricted in any way (such as present-day libertarians) or those who would, with Marx, rather want to abolish markets altogether. Libertarians and Marxists are not obviously wrong, so Honneth owes us an explanation as to why he thinks they are.¹⁴

We are now in a position to evaluate Honneth's two objections against moral constructivism (i.e., the emptiness and superfluity objections). With respect to the emptiness objection, it seems to me that on closer examination Honneth is ambiguous. Sometimes he argues that Kantian theories cannot generate any content. At other times he says that they use the misguided scheme of 'first principles, then application,' using social scientific knowledge for the empirical part of their application. The latter claim seems to me more interesting, but one can only endorse it when one rejects the former claim, i.e. that these theories do not generate content at all (and indeed, many theories of justice present and defend detailed institutional schemes). The question is not whether to include empirical reality into one's theory, but how to do so.¹⁵ Of course, the step of applying a principle is a separate step (a matter of practical judgment); no constructivist would deny that content is added at the stage of application.¹⁶ But nothing forces the constructivist to accept social scientific standards at this stage (indeed, one could wonder whether there are any unanimously agreed upon social scientific theories. Most disciplines are themselves divided in schools; even economics has its share of heretics from the mainstream).

Against the superfluity objection I would argue that Honneth falls prey to his own charges. Rather than constructivism being parasitic on reconstructivism, it is the other way around. A historical reconstruction identifies norms by depending on moral argument about which norms to endorse. It is this exchange of arguments about 'what freedom requires' in any given historical period of time which is unavoidable. In this light, Honneth's earlier emphasis on a formal anthropology (fleshed out in terms of his three forms of recognition) seems to me to be more fruitful than his current focus on history.¹⁷ The recourse to a historical reconstruction is bound to be either selective, singling out certain social movements and theorists as 'exemplary' of the spirit of their time, or it is all-inclusive, but then doesn't generate any determinate normative content. It seems that what is doing the work in Honneth's defense of a form of social democracy (regulated markets) against libertarians (unregulated markets) or Marxists (abolishing the market), is not the historical presence of social democracy, but his substantive conviction that these arrangements are the best way to realize the underlying ideal of social freedom.

All in all, Honneth is right that theories of justice should display the historical consciousness that these conditions of freedom may change over time. But this does not mean that history can teach us which norms to use to evaluate present-day practices and institutions. His historical reconstruction in the end is inadequate to ground the substantive

claims he makes about the superiority of certain ways of organizing the market sphere over others.

5. Evaluating Social Freedom

In this section I want to evaluate Honneth's idea that social freedom in the market sphere is connected to participation in intermediate groups. As mentioned above, he introduces the value of group formation in the economy as a way of remedying the one-sided individualistic strategy of restraining markets, which is exemplified by the introduction of social rights:

But in light of the criteria of social freedom . . . , the blessings of all these state welfare measures also manifest shadow sides, which amount to the undermining of efforts by wage-dependents for forming associations and the removal of conditions that could support attempts to collectively influence the labor market. Of course, as individuals, employees did come to be better protected than ever before in the history of capitalist labor-relations, but in the process, they tended to lose the spontaneous ability to feel like members of an increasingly self-conscious class and to undertake collective efforts at reforming the market-mediated sphere of production. The establishment of social freedom in this sphere, i.e. its broadening into a "relational" institution, requires . . . the institutional provision of discursive mechanisms, which make it possible for participants to reciprocally shape one another's identification of interests and thereby to give form to their overarching cooperative aims (RF 428).

The problem with Honneth's alternative, as I see it, is that it is not clear how we have to interpret it. His emphasis on collective and discursive mechanisms in the economy might be a way of filling in his remarks about social freedom and recognition in the first part of the book (see Section 1). This would also bring his discussion in line with his earlier work on recognition. But in his discussion of the market sphere he rarely makes use of the vocabulary of recognition relations.

What emerges is an emphasis on collective action which is worked out in two directions: a more democratic and a more corporatist direction. Honneth plays on both of these. On the one hand, he seems to emphasize the role of consumer and labour collectives in the public sphere, i.e. as part of a political process in which societies discuss ideas about how to regulate the market. This is the *democratic* side of the story. On the other hand, Honneth often refers to Hegel's and Durkheim's endorsement of professional groups and associations and talks of the necessity of 'intermediary institutions.' Their actual function (if it is not the democratic one) remains unclear; but one might think of forms of coordinated bargaining (e.g. between associations of employers and employees) which – at least partly – replace the market mechanism for wage and price setting and also socialize the formation of individual preferences. This is the *corporatist* side of Honneth's story.

The democratic role of economic groups seems to me perfectly legitimate. However, the problem for Honneth is that this can be easily understood in terms of collective autonomy, a concept Honneth himself discusses as one variant of reflexive freedom (see RF76). It seems perfectly in line with Habermas' (Kantian) liberalism. On this interpretation, then, it is unclear to what extent a genuinely new conception of freedom is introduced. Moreover, collective action by consumer or labour groups normally leads to state regulation of the market. In these cases it is not these intermediate groups which restrict the market's logic of supply and demand, but the state. Groups only function as protagonists of these measures. Honneth's endorsement of these groups then is purely procedural: it doesn't tell us which restrictions should be imposed (should we have a basic income? A minimum wage? Import tariffs?)

Consumption taxes?). This is ironic, given his criticisms of Kantian theories as procedural and empty. Finally, the content of these restrictions may very well be individualistic (e.g. social rights), and need not consist of collective regulations. All in all, the democratic interpretation of the role of economic groups is not sufficiently distinctive for Honneth's purposes.

The corporatist interpretation fares better in this respect. Here there is indeed a genuinely different kind of economic organization at stake. But it does face problems of its own. One problem is that Honneth here has to confront the Habermasian argument that automatic media-guided interaction through the market mechanism (however colonizing if it oversteps its boundaries) also lightens the burden on communicative action. Both Habermas and Honneth want to strike a balance between the advantages and the drawbacks of the market. For Honneth the attraction of 'pure' (unrestrained) markets lies in their negative freedom, while the risk is that they fail to realize social freedom. This picture discounts Habermas' view of the market's advantages, in terms of systems rationality. Honneth will have to make clear why his ideal of the market as a sphere laden with communicative activity doesn't ask too much of market participants.

Another problem is in the strong link Honneth forges between social freedom and participation in intermediate groups. Admittedly, Honneth remains faithful to his understanding of social freedom in terms of the concept of recognition. Individuals are truly free only when they feel at home in their social world. But why should such recognition be understood as participation in group activity, and not as the recognition of individuals qua individuals? In his earlier work, Honneth did seem to think that it is the *individual's* recognition that matters morally. In the economic sphere we now see a more collectivistic view coming to the forefront. Individuals should be enabled to feel themselves at home in this part of the social world through their membership of these organizations. Social rights, with their individualistic orientation, cannot do the job. This seems to be in striking contrast with his earlier argument about cultural (minority) groups, whose demands for the recognition of their specific culture he basically reduced to a demand for legal equality.¹⁸ Even if we agree with that reduction, one does wonder why things are different for socio-economic groups.

These remarks on the corporatist interpretation of social freedom are not meant to be exhaustive. They mainly serve to shed light on the incompleteness objection (see Section 1), which formed Honneth's main reason for making the transition from reflexive to social freedom. After investigating his argument about the economic sphere, the dispute between Honneth and neo-Kantians now does not seem to be primarily about whether or not to theorize the social conditions of the realization of freedom. The difference is in how to do so. Both Honneth and neo-Kantians may incorporate proposals for realizing freedom. Both may agree that freedom should not be merely negative freedom and that free markets are institutional embodiments of negative freedom. The question between them is how to correct or restrain the market. For a proponent of reflexive freedom, implementing social rights (which remain individualistic in their orientation) may be a key target. For Honneth's concept of social freedom (taken in its distinctive, corporatist form), the focus will be on enhancing the power of intermediate groups. This is where the debate should lie.

If my diagnosis is correct, this shows that the theoretical argument in Honneth's general discussion of the conceptions of freedom, which focuses on reflexive freedom's alleged incompleteness, is somewhat misleading. Honneth convincingly shows that theories of justice need to take into account the social conditions (institutions) necessary for the realization of freedom. But what he calls 'weak social freedom' (exemplified by Joseph Raz) is just as

respectful of the 'social conditions' for realizing freedom. Honneth thinks that the additional element, bringing in a call for group organization in economic life, makes for a transition to a different kind of freedom, i.e., 'strong social freedom.' But, first of all, this is far from self-evidently the best view of economic life. And secondly, even if it brings us an interesting diagnosis of what is wrong in the current market sphere and how we can improve its legitimacy, it remains unclear why corporatism couldn't be incorporated as a condition for autonomy in a Razian weak form of social freedom. Even if the corporatist interpretation is distinct from accounts which focus on individual rights, it is not clear that it can only be accepted if we also accept the Hegelian view that social reality is somehow part of our individual freedom itself.

6. Conclusion

This paper has sought to take an in-depth look at Honneth's recent proposal for reconceiving the way we think about justice. I have restricted myself to his analysis of the market sphere and have shown certain problems with his methodological commitment to reconstructivism and his favoured conception of social freedom. This would need to be supplemented by two further investigations.

For one thing, this analysis would need to be extended to the two other spheres (personal and political) that Honneth expects to realize social freedom. I suspect that such discussions would reveal the same criticism of Honneth's implicit reliance on a constructivist method. For example, in his discussion of the modern democratic state, he rejects both a Rousseauian conception of plebiscitary democracy and a classical liberal view of representative democracy. Instead he adopts a third alternative, inspired by Durkheim, Dewey and Habermas, in which the legitimacy of democratic decisions depends on the conditions under which these decisions have been debated by the larger public (RF 568–9). Again, as with Honneth's adoption of the moral economy tradition against libertarian, Marxist and other alternative normative theories, it is not quite clear why Honneth's elaborate reconstruction of this history of the public sphere vindicates his favoured normative theory rather than the Rousseauian or classical liberal alternatives. After all, individuals also recognize each other when they stand in direct democratic relations to each other or when they use classical channels of representative democracy. It is not self-evident that they will be more 'at home' in their social reality when Honneth's preferred public sphere is actualized. Again, what is missing is a constructivist argument to justify his preferred normative ideal. Again, I would diagnose that he needs to provide such an argument to be able to hold onto the normative validity of his historical reconstruction of the public sphere.

Second, we need a detailed comparison of the differences between *Das Recht der Freiheit* and Honneth's earlier work (especially *Struggle for Recognition* and articles elaborating its recognition theory). While I cannot do that here, let me briefly mention the diagnosis I think is in line with the critique presented in this paper. Earlier critics have claimed that Honneth's 'formal conception of ethical life' in *Struggle for Recognition* represents a particular view of the good that can be criticized for being highly substantive, not at all as formal as Honneth's claims it to be.¹⁹ Thus, it would be unrepresentative of all reasonable accounts of the good that arise in modern pluralist societies. Perhaps in response to these critics, Honneth uses a different methodology in *Das Recht der Freiheit*, now relying on a reconstruction of historical developments much more than on his earlier weak anthropology. While still interpreting 'social freedom' in terms of 'recognition,' the psychological and developmental theories, which motivated his view of healthy recognition relations in *Struggle for Recognition*, have

now disappeared. They are supplanted by a historical reconstruction, which is meant to show us which historically situated principles and norms to endorse as embodiments of his ideal of social freedom.

At the same time, while history replaces anthropology as the justificatory method for his normative positions, the content of these positions is as substantive as Honneth has ever been (or even more substantive). Honneth is very far from offering a proceduralist theory, endorsing all kinds of controversial normative theories about the right way to organize the personal, economic and political spheres, thus taking sides in long-standing debates. The problem is that he reconstructs the historical trajectory of these positions, but nowhere defends their normative superiority over competing positions. The best diagnosis of this new phase, I have argued, is that Honneth now implicitly relies on exactly the kind of constructivist methodology that he explicitly argues is untenable. This will probably still not satisfy his critics mentioned above, who can continue to argue that he fails to respect groups which place a lower value on liberal values (whether personal autonomy or social freedom): this time because he gives a selective reading of modern history rather than a selective anthropology of the good life. But it will also fail to satisfy those (constructivist) readers who do not mind controversial, substantive normative theories at all; because these readers will probably find the anthropological justification of the recognition theory more convincing and will wonder (in contrast to the earlier work) where the justificatory force of his new positions is coming from. This is especially problematic since I expect that many of the latter readers are to be found in the Anglo-Saxon world of theorizing about justice: exactly those readers whom he explicitly wants to address with his alternative Hegelian take on justice.²⁰

These suggestions are too little to be conclusive; a more detailed study of Honneth's theoretical trajectory is necessary. The present article aimed at an immanent critique of Honneth's reconstruction of the economic sphere and the extent to which it can live up to the general strategy he himself outlined in the first part of his book. This has served to highlight some of the problems that Honneth's theory of justice needs to address. The main conclusion is that Honneth's criticism of constructivist opponents tends to backfire. Social freedom as painted by Honneth may be an attractive normative ideal, but we need to know why.

NOTES

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1. Axel Honneth, *Das Recht der Freiheit. Grundriss einer demokratischen Sittlichkeit* (2011). Hereafter: RF.

2. I am leaving out of consideration Honneth's criticism of Kantian ethics in the second part of the book (RF 190–205). Here he launches what one might call an atomist objection: he maintains the Kantian method requires distancing oneself from existing social ties to an impossible extent. He states that a morally reflecting person in cases of conflict not only needs to place himself in the position of all those concerned (not privileging his own position or that of his friends or family), but also to question all the norms which are constitutive of the ties to those others (RF 197–201). But Honneth argues that the process of abstraction cannot abstract from one's own social role or place, but this role itself is already filled by socially determined norms (RF202). Moral reflection cannot question certain socially sanctioned norms which are constitutive of our social lives (RF204).

3. See also the very useful discussion of the conditional versus the constitutive view of recognition in Thomas Baldwin, "Recognition: Personal and Political," *Politics, Philosophy, and Economics* 8, no. 3 (2009). A similar distinction is made in Axel Honneth, "Recognition as Ideology," in *Recognition and*

Power. Axel Honneth and the Tradition of Critical Social Theory, ed. Bert van den Brink and David Owen (Cambridge: Cambridge University Press, 2007).

4. While in this book, recognition plays a relatively minor role, elsewhere he criticizes mainstream theories of justice for focusing on the distribution of (material) goods, neglecting the fact that in order to become an autonomous individual people need healthy recognition relations. See Axel Honneth, "Das Gewebe der Gerechtigkeit. Über die Grenzen des zeitgenössischen Prozeduralismus," in *Das Ich im Wir* (Berlin: Suhrkamp, 2010).

5. Joel Anderson and Axel Honneth, "Autonomy, Vulnerability, Recognition, and Justice," in: *Autonomy and the Challenges to Liberalism. New Essays*, ed. Joel Anderson and John Christman (Cambridge: Cambridge University Press, 2005), 127–149.

6. In this paper, I will take for granted Honneth's opposition between constructivism and reconstructivism and his idea of a broadly liberal and Kantian mainstream. One could of course dispute this (e.g. by saying Rawls is really 'reconstructing' intuitions in his method of reflective equilibrium).

7. At his point he refers to Axel Honneth, "The Irreducibility of Progress," in *Pathologies of Reason* (New York: Columbia University Press, 2009), where he gives a similar interpretation of Kant's view of progress. Also see Axel Honneth, "Redistribution as Recognition: A Response to Nancy Fraser," in *Redistribution or Recognition? A Political-Philosophical Exchange*, ed. Nancy Fraser and Axel Honneth (New York: Verso, 2003), 183–85.

8. Given the distance he takes towards Habermas here, it is somewhat surprising to learn later [see p. 120, note 112] that Honneth thinks Habermas employs the same method as he does, only with a more restricted domain of application (the sphere of constitutional law versus the whole social reality).

9. I thank Joel Anderson for bringing up this movement in this context.

10. A third route is the teleological one. But in his economic discussion Honneth doesn't come back to this. Indeed, the latest phase of capitalism (1990-onwards) for him is pathological; he endorses earlier phases. So he clearly cannot rely on a linear process of progress, in which the latest stage of economic development represents the greatest realization of social freedom. See also the discussion of Honneth's normative options in Christopher Zurn, "Anthropology and Normativity: A Critique of Axel Honneth's 'Formal Conception of Ethical Life'," *Philosophy and Social Criticism* 26, no. 1 (2000).

11. Normative functionalism seems to be primarily normative. There are always several ways for market to function well; with or without more restrictive norms.

12. I accept, for the sake of argument, Honneth's view that restrictive norms are "inside" the market, even though the inside/outside distinction is arbitrary. Even Honneth relies on a 'pure' market logic of demand and supply, which is then to be corrected or supplemented with other norms. Whether the latter are inside or outside the 'concept' of the market, depends mainly on one's definitions.

13. E.g. for anti-commodification, Elizabeth Anderson, *Value in Ethics and Economics* (Cambridge Massachusetts: Harvard University Press, 1993). Margaret Radin, *Contested Commodities. The Trouble with Trade in Sex, Children, Body Parts, and Other Things* (Cambridge Massachusetts: Harvard University Press, 1996). For ecological limits to the market Brian Barry, "Sustainability and Intergenerational Justice," in *Fairness and Futurity. Essays on Environmental Sustainability and Social Justice*, ed. Andrew Dobson (Oxford: Oxford University Press, 1999) and Andrew Dobson, *Justice and the Environment. Conceptions of Environmental Sustainability and Theories of Distributive Justice* (Oxford: Oxford University Press, 1998). For access to basic goods Martha Nussbaum, *Women and Human Development. The Capabilities Approach* (Cambridge: Cambridge University Press, 2000), or Ronald Dworkin, *Sovereign Virtue. The Theory and Practice of Equality* (Cambridge, Massachusetts: Harvard University Press, 2000), etc.

14. One good example is that throughout the text he uncritically endorses social movements' call for 'equality of opportunity' (e.g. RF352, 423, 449). But this ideal has been heavily criticized by egalitarians for being incoherent, unattractive and unfeasible. See amongst many others, e.g. Elizabeth Anderson, "What Is the Point of Equality?," *Ethics* 109, no. 2 (1999). Clare Chambers, "Each Outcome Is Another Opportunity: Problems with the Moment of Equal Opportunity," *Politics, Philosophy & Economics* 8 (2009). Anne Phillips, "'Really' Equal: Opportunities and Autonomy," *Journal of Political Philosophy* 14, no. 1 (2006). The point is not to say that they are right, but that Honneth doesn't consider this entire debate.

15. It is true that some authors in the analytical literature have remained at the level of principle, and they have been criticized within this literature for that (see discussions about 'ideal theory'). But there is no principled reason why Kantian constructivists should do so. I think that what does quite some normative work in constructivist theories in bridging the gap from moral principle to practical judgment about some case, is the addition of some anthropological presuppositions about what it means to be an agent (and these could be historically adjusted while holding the principles unchanged and universal in scope). There is a debate about whether to include some of these presuppositions in 'the theory' or not (does the stage of application belong to the theory? Certainly many books contain applied chapters). See the illuminating

discussion in Miriam Ronzoni, "Constructivism and Practical Reason: On Intersubjectivity, Abstraction and Judgment," *Journal of Moral Philosophy* 7 (2010). With this in mind Honneth's view of constructivism is ambiguous: sometimes he equates constructivism with the idea of 'proceduralism' (or contractualism), sometimes with the idea of 'freestandingness' from history (see the quote in section 2). But a constructivist theory can be freestanding without restricting itself to offering a procedure. Indeed, I would argue that Honneth's theory in *Struggle for Recognition* is such a substantive constructivist theory.

16. See, for example, the account of applying principles by Onora O'Neill, *Towards Justice and Virtue. A Constructive Account of Practical Reasoning* (Cambridge: Cambridge University Press, 1996), 178–83.

17. See Axel Honneth, "Integrity and Disrespect: Principles of Morality Based on the Theory of Recognition," *Political Theory* 20, no. 2 (1992). Axel Honneth, *The Struggle for Recognition. The Moral Grammar of Social Conflicts* (Cambridge, Massachusetts: The MIT Press, 1995), 171–79. Axel Honneth, "Between Aristotle and Kant: Recognition and Moral Obligation," in *Disrespect. The Normative Foundations of Critical Theory* (Cambridge: Polity Press, 2007).

18. Honneth, "Redistribution as Recognition: A Response to Nancy Fraser," 168–69.

19. Bert van den Brink, "Recognition, Pluralism and the Expectation of Harmony: Against the Ideal of an Ethical Life 'Free from Pain'," in *Axel Honneth: Critical Essays*. Ed. D. Petherbridge Leiden/Boston: Brill, 2011), see pp. 160–162. James Tully, *Public Philosophy in a New Key. Volume I: Democracy and Civic Freedom* (Cambridge: Cambridge University Press, 2008), at p. 225 and 316. David Owen, "Self-Government and 'Democracy as Reflexive Co-operation' Reflections on Honneth's Social and Political Ideal," in *Recognition and Power. Axel Honneth and the Tradition of Critical Social Theory*, ed. B. v. d. Brink and D. Owen (Cambridge: Cambridge University Press, 2007), see pp. 315–319. Christopher Zurn, "Anthropology and Normativity: A Critique of Axel Honneth's 'Formal Conception of Ethical Life'" *Philosophy and Social Criticism* 26 no. 1 (2000):115–124, at p. 119.

20. Loosely speaking, Honneth seems to have traveled down a similar road as Rawls, with his shift from the more universalistic style of theorizing in *Theory of Justice* to the more contextualist approach in *Political Liberalism*.

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