



freedom's
right

The Social Foundations
of Democratic Life

AXEL HONNETH

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Axel Honneth

Translated by Joseph Ganahl

polity

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Preface

It has taken me nearly five years to complete this book. And at the end of each day of work on it, I saw a need to include many more arguments and empirical evidence in the future. This feeling of not being finished despite all the effort I have put into this work has not yet left me, without me knowing what I could do to be rid of it. This feeling of having come up short is likely due to the ambitious goal I had set for myself when I first undertook work on the book. I sought to follow the model of Hegel's *Philosophy of Right* and develop the principles of social justice by means of an analysis of society. As I had realized a few years prior while studying Hegel's famous text, this project could only succeed if the constitutive spheres of our society are understood as institutional embodiments of particular values whose immanent claim to realization indicates the principles of justice at work in each specific social sphere. Of course, this procedure demands that we first get a clear sense of the values that are to be embodied within the various spheres of our social life.

For this reason, the introduction to this book, which also follows the model laid down by Hegel, demonstrates that in modern liberal democratic societies these values have been fused into the single value of individual freedom in its various familiar meanings. The initial premise of my study is that each constitutive sphere in our society institutionally embodies a particular aspect of our experience of individual freedom. The modern idea of justice is thus divided into as many aspects as there are institutionalized spheres of the promise of freedom. In each of these systems of action, 'just' treatment takes on a different meaning, because the realization of

freedom requires specific social preconditions and mutual consideration. On the basis of this fundamental notion, the central and most comprehensive part of the analysis will consist in what I call a 'normative reconstruction', which will allow us to examine, by following the historical development of each of these social spheres, the degree to which the understanding of freedom institutionalized within them has already been socially attained.

It is at this point in my investigation, where I begin with the attempt at a normative reconstruction, that the difficulties begin and the inevitable feeling of incompleteness takes over. I have underestimated the fact that Hegel stood at the very beginning of the formation of sophisticated modern societies, which allowed him to determine the principles of legitimacy underlying individual social spheres without concern for future developments and by resorting to a few individual scientific disciplines. By contrast, I find myself in the middle of a two-hundred-year long process of conflictual and non-linear realization of these principles – a process that I have had to reconstruct normatively in order to be able to assess the opportunities, dangers and pathologies of the freedoms within each of these spheres. Although this more sociological approach allows more flexibility with regard to the historical material than would a strict historical account, I am still faced with the task of having to present enough findings and evidence from various fields of knowledge to convince less normatively minded readers that the direction of development I have proposed and the resulting conclusions are in fact plausible. In hindsight, much is still to be done in this regard, as we would have to take into account how all presumed paths of development have unfolded in various different nations, while also going into much greater detail when it comes to diagnosing the present.

Nevertheless, I hope that the result of my study is clear: We will only be able to get a clear sense of the future requirements of social justice if we recall, by addressing the struggles that have been fought on the normative foundation of modernity, the claims that have not yet been redeemed in the historical process filled with social demands for the realization of institutional promises of freedom.

I would never have been able to write this book without the help of a number of people and without the generous support of various institutions. Because German universities allow professors little time for research work, a familiar lament, I have had to rely on occasional emancipation from the normal semester routine.

This began with a research semester funded by a generous grant by the Volkswagen foundation for a research project at the Institute for Social Research on 'Structural Transformation of Recognition in the 21st Century'. I was then able to benefit from month-long visits to the Sorbonne, Paris I, and the École Normale Supérieure in Paris; owing to the friendly and reserved atmosphere, I was able to make great progress in a relatively short period. Finally, I was able to finish my study due to a further sabbatical allowing me to engage in a university project entitled 'The Formation of Normative Orders' organized by the Goethe University in Frankfurt. But, most of all, I have profited from the workshops in which I was able to present portions of my work over periods of several days to colleagues and students. A seminar organized by Christoph Menke and Juliane Rebenisch in the Institute of Philosophy at the University of Potsdam, as well as a master's course in Goslar organized by the Research Institute for Philosophy at the University of Hanover, were to prove especially fruitful. I have also benefited greatly from a colloquium at the University of Marburg in connection with my Christian-Wolff-Lecture. I owe a great deal of gratitude to everyone involved in the preparation and coordination of these visits and workshops. This is especially true for my colleagues, who supported me with critical objections, references and theoretical proposals. In this regard my thanks go to Titus Stahl above all, assistant at the Institute of philosophy at the Goethe University, Frankfurt, who over the course of two years put me under extremely instructive pressure with his analytical intelligence and perseverance, though I have not been able to implement all the differentiations he called for. I also profited from the support of many other individuals at various points in my work: Martin Dornes, Andreas Eckl, Lisa Herzog, Rahel Jaeggi, Christoph Menke, Fred Neuhauser and, in many conversations on literary sources, Barbara Determann and Gottfried Kößler. I have been extremely fortunate to have had such a supportive atmosphere in writing this book: Frauke Köhler did her best to decode my handwriting, keep order of the various parts of the text and put it all in the proper form. Stephan Altemeier was helpful when it came to finding important literature and also, together with Nora Sieverding, put together the index for the German edition. I am grateful to all three of them for their cooperation. I also thank Eva Gilmer for the many years of intensive and serendipitous cooperation; she is a kind of lector whom I thought only existed in the correspondences or autobiographies of older authors. She read the manuscript line for line, made

many suggestions for improvements and pushed me to make the deadline. I would like to extend my gratitude to Joseph Ganahl, the translator of the English edition, who for many years, and with a great deal of care, skill and theoretical understanding, has translated my works into English. I can hardly imagine any other translator with the same friendliness and nonchalance, who nevertheless manages to put together texts in which I recognize the very same intention and tone as in my own original work. I would like to thank him again for the many years of fruitful and uncomplicated collaboration. There are finally not enough words to express the gratitude I owe to my wife, who spent many hours discussing with me and plunging into the manuscript – it is to her that I dedicate this book.

Axel Honneth, August 2013

Contents

Preface	vii
Introduction: A Theory of Justice as an Analysis of Society	1
Part I Historical Background: The Right to Freedom	13
1 <i>Negative Freedom and the Social Contract</i>	21
2 <i>Reflexive Freedom and its Conception of Justice</i>	29
3 <i>Social Freedom and the Doctrine of Ethical Life</i>	42
<i>Transition: The Idea of Democratic Ethical Life</i>	63
Part II The Possibility of Freedom	69
4 <i>Legal Freedom</i>	71
4.1 <i>The Reason for the Existence of Legal Freedom</i>	73
4.2 <i>The Limitations of Legal Freedom</i>	81
4.3 <i>Pathologies of Legal Freedom</i>	86
5 <i>Moral Freedom</i>	95
5.1 <i>The Reason for the Existence of Moral Freedom</i>	97
5.2 <i>Limitations of Moral Freedom</i>	104
5.3 <i>Pathologies of Moral Freedom</i>	113
Part III The Reality of Freedom	121
6 <i>Social Freedom</i>	131
6.1 <i>The 'We' of Personal Relationships</i>	132
6.1.1 <i>Friendship</i>	134
6.1.2 <i>Intimate Relationships</i>	141
6.1.3 <i>Families</i>	154

6.2	<i>The 'We' of the Market Economy</i>	176
6.2.1	<i>The Market and Morality: A Necessary Preliminary Clarification</i>	178
6.2.2	<i>The Sphere of Consumption</i>	198
6.2.3	<i>The Labour Market</i>	223
6.3	<i>The 'We' of Democratic Will-Formation</i>	253
6.3.1	<i>The Democratic Public Sphere</i>	255
6.3.2	<i>The Democratic Constitutional State</i>	304
6.3.3	<i>Political Culture – Prospects for the Future</i>	329
	Notes	336
	Index	394

Introduction: A Theory of Justice as an Analysis of Society

One of the major weaknesses of contemporary political philosophy is that it has been decoupled from an analysis of society, instead becoming fixated on purely normative principles. Although theories of justice necessarily formulate normative rules according to which we can assess the moral legitimacy of social orders, today these principles are drawn up in isolation from the norms [*Sittlichkeit*] that prevail in given practices and institutions, and are then 'applied' secondarily to social reality. This opposition between what is and what should be, this philosophical degrading of moral facts, is the result of a theoretical development that started long ago, one that is closely linked to the fate of Hegel's *Philosophy of Right*. After his death, Hegel's intention to reconstruct rational institutions, i.e. institutions that guarantee freedom, on the basis of prevailing social relations came to be understood in two very different ways. On the one hand, his work was regarded as a conservative theory of restoration, and on the other hand, as a theory of revolution. This division into Right Hegelians and Left Hegelians¹ made it possible for later generations, after nearly all revolutionary ideals had died out, to shove the entirety of Hegel's political philosophy into the conservative camp. All that seemed to remain of Hegel's notion that a theory of justice must be based on social analysis was the somewhat primitive idea that given institutions must be given an aura of moral legitimacy. This nearly sealed the victory of a Kantian or Lockean theory of justice, which stipulates that the normative principles according to which we judge the moral legitimacy of social orders may not stem from within existing institutional structures, but must stand alone

outside of this institutional framework. Little has changed up to the present day.

Of course, there have been numerous objections and counter-proposals to the dominance of Kantianism over the theory of justice. In the second half of the nineteenth century, British Neo-Hegelianism – which for political and cultural reasons never caught on in Germany – sought to revive certain Hegelian motifs and make them the basis for an alternative theory of justice.² And more recently, the works of Michael Walzer, David Miller and Alasdair MacIntyre have proven that efforts to overcome purely normative theories of justice and revive the project of social analysis have never really slackened.³ But these same endeavours also show just how far we have strayed from the path Hegel laid down in his *Philosophy of Right*. Current attempts to overcome the deficits of Kantian theories of justice that ignore existing institutions nearly always attempt to hermeneutically adapt normative principles to existing institutional structures or prevailing moral beliefs, without proving whether the substance of these institutions is itself rational or justified. And yet these attempts remain unconvincing because of their tendency to accommodate normative principles to official theories not supported by social reality. Hegel, by contrast, sought to unify these two approaches in his *Philosophy of Right*⁴ by demonstrating the largely rational character of the institutional reality of his time, while conversely showing moral rationality to have already been realized in core modern institutions. He gave the name 'Right' to those elements of social reality that, by virtue of enabling and realizing individual freedom, possessed both substance and legitimacy.⁵

In reviving Hegel's project nearly two hundred years later, I realize of course that both social relations and styles of philosophical argumentation have undergone significant changes. We can no longer merely rehash the intention and argumentation of his *Philosophy of Right*, and social reality, whose institutions and practices enjoy the status of moral facts, differs entirely from that of the early industrial, constitutional monarchies of the early nineteenth century. The institutional relations upon whose normative stability Hegel could rely blindly have shed their original form over the course of an accelerating, 'reflexive' modernization process and have largely been replaced by new structures and organizations that impose much less stringent demands on behaviour. Moreover, given the experience of a 'breach of civilization', i.e. the realization of the possibility of a holocaust within civilized societies, we can no

longer share Hegel's optimism that modern societies follow a continuous path of rational development. Furthermore, the theoretical premises of philosophical discussion, the framework of what can ultimately be thought, have undergone a major shift since Hegel's time. We, the children of a materially enlightened era, cannot hold onto the idealistic monism in which Hegel anchored his dialectical concept of Spirit.⁶ Hence we are forced to find another footing on which to base his idea that objective Spirit is realized in social institutions.

Nevertheless, we would do well to take up once again Hegel's endeavour to develop a theory of justice on the basis of the structural preconditions actually existing in society. The premises of such an endeavour cannot be so easily justified in advance, rather they can only be revealed in the course of the investigation. On the other hand, we cannot avoid outlining in advance the preconditions that make the structure and procedure of the study comprehensible at all. As long as I have not at least given a sketch of the general premises that guide my investigation, my reasons for developing a theory of justice in terms of the idea of freedom will remain entirely opaque. The aim of constructing a theory of justice as social analysis depends entirely on the *first* premise that social reproduction hinges on a certain set of shared fundamental ideals and values. Such ethical norms not only determine 'from above', in the form of 'ultimate values' (Parsons), which social measures or developments are conceivable, but they also determine 'from below', in the form of more or less institutionalized objectives, the guidelines that each individual's life path should follow. The best example of such a conception of society remains the action-theoretical model developed by Talcott Parsons, a model that clearly stands in the tradition of Hegel, Kant, Marx and Max Weber. According to Parsons, the ethical values that constitute the ultimate reality of a given society flow into its individual sub-spheres via the cultural system, determining the actions of its members by imposing role expectations, implicit obligations and socially inculcated ideals – in short, through an entire arrangement of social practices. Members of society, whom Parsons views in a very Freudian sense as agonistically integrated subjectivities, normally act in accordance with norms that have been established as specific objectifications of higher values in various subsystems. According to Parsons, even the economic system is 'ethically' imbued, and unlike Luhmann or Habermas, Parsons views the economy as a normatively integrated sphere of action – which today, for instance, revolves around the

principle of achievement. The unique characteristic of this model of society – and what makes it especially suitable as a tool for updating Hegel’s intentions – is its claim that all social orders, without exception, must legitimate themselves in the light of ethical values and ideals that are worth striving for: ‘No normative order [i.e. society, A. H.] is *self*-legitimizing in the sense that the approved or prohibited way of life simply *is* right or wrong and admits of no questions. Nor is it ever adequately legitimated by necessities imposed at lower levels of the hierarchy of control – e.g. by the fact that things *must* be done in a *specific* way because the stability or even survival of the system is at stake.’⁷

Even the existence of ‘heterogeneous’ societies marked by ethnic or religious diversity has little effect on this ‘transcendental’ necessity of normative integration. Although in these societies ethical values need to be formulated in a more comprehensive and general manner so to make room for the ideals held by minority cultures, material reproduction and cultural socialization must comply with a set of shared norms. In this weak sense, every society embodies objective Spirit to a certain extent, because its institutions, social practices and routines reflect shared normative beliefs about the aims of cooperative interaction. Later we will have to show that this concept of ‘objective spirit’ must be further enriched in order to truly justify all the aims of a theory of justice as an analysis of society.

The *second* premise of this project is that the normative point of reference employed by a theory of justice should draw on those values or ideals that, as normative claims, also constitute the conditions of reproduction of a given society. For Hegel, as well as for Marx and other authors in the Hegelian tradition, the idea of justice is not an independent and free-standing notion that can be explained on its own terms, which explains why these thinkers seldom use the term in a constructive and non-polemic fashion. In the classical sense handed down to us from antiquity, ‘justice’ refers to the ‘binding and permanent intention to render to everyone his due’ (Justinian, Cicero, Thomas von Aquinas). This essentially means that each person should be treated in a way that does justice to his or her personality, which can entail both the equal and unequal treatment of different individuals. Hegel is convinced that when it comes to defining what constitutes just treatment, we cannot draw on any independent standard within the concept of justice itself. We cannot adopt a neutral perspective, so to say, that would allow us to analyse which personal qualities we should

take into account, because our relation to that person is necessarily permeated by practices in which we are both involved. For Hegel, therefore, what it means to 'render everyone his due' can only be derived from the internal meaning of previously established practices. And because this meaning derives solely from the ethical value prevailing in a given sphere within the ideal overall structure of society, the criterion for determining what counts as just can ultimately only be judged in terms of the ideals actually institutionalized in that society. Therefore, that which is 'just' is that which promotes adequate treatment – in terms of the role assigned to each different social sphere in the context of the ethical 'division of labour' in a given society.

By merely calling for an immanent analysis, however, I have not yet sufficiently distinguished this approach from conventional, 'Kantian' theories of justice. After all, the latter also present their 'constructively' derived principles as an expression of a certain value orientation. Both Rawls' theory of justice⁸ and Habermas' theory of law⁹ provide good examples of an approach that has its point of departure in the historical congruence between independently derived principles of justice and the normative ideals of modern societies. Unlike these theories, we should follow Hegel in abstaining from presenting a free-standing, constructive justification of norms of justice prior to immanent analysis; such an additional justification becomes superfluous once we can prove that the prevailing values are normatively superior to historically antecedent social ideals or 'ultimate values'. Of course, such an immanent procedure ultimately entails an element of historical-teleological thinking, but this is ultimately inevitable – just as it is for theories of justice that assume a congruence between practical reason and existing social relations.

But even this distinction does not suffice to capture what makes the particularity of the endeavour to found a theory of justice on an analysis of society, for even immanently derived principles of justice can be understood as having been only secondarily applied to social reality as a criterion for judging the moral quality of institutions and practices. In this case, nothing would have changed; we would only have presupposed a certain reality set up by a third party, to which we then apply normative standards after the fact. This would only retain the division of labour assumed by traditional conceptions of justice between the social sciences and normative theory, between empirical disciplines and philosophical analysis. And yet this is precisely what Hegel sought to avoid in his

Philosophy of Right: an external determination of how social reality must be constituted, a reality whose justification Hegel sought to determine through the analysis of that reality itself. Hegel was just as unwilling as Marx, who in this regard was a loyal student of Hegel, to leave the business of social analysis to the empirical studies of social scientists (political science, political economy). Because of the idealistic premises upon which Hegel founds his analysis, it is only with great effort that we can grasp the methodological procedure he employs in opposition to this traditional division of labour.¹⁰ In order to spare myself from having to recount complicated discussions, I will only use the term 'normative reconstruction' to refer to this notoriously misunderstood strategy. This procedure implements the normative aims of a theory of justice through social analysis, taking immanently justified values as a criterion for processing and sorting out the empirical material. Given institutions and practices will be analysed in terms of their normative achievements and recounted in order of their significance for the social embodiment and realization of socially legitimated values. In the context of this procedure, 'reconstruction' thus means that out of the entirety of social routines and institutions, we will only pick out those that are indispensable for social reproduction. And because the aims of social reproduction are essentially determined by accepted values, 'normative' reconstruction means categorizing and ordering these routines and institutions according to the impact of their individual contribution to the stabilization and implementation of these values.

Although it might appear that Hegel's procedure in no way meets the demands of a theory of society, it nevertheless overlaps with the works of various classical sociologists to a surprising extent. Both Durkheim and Parsons, to name just two of the most prominent authors, analyse the material they derive from their studies of modern societies not merely in terms of the material or technical constraints of social reproduction, rather they focus on those social spheres or subsystems that make an especially significant contribution to securing and realizing the dominant institutional values of modernity.¹¹ Both sociologists carry out a normative reconstruction by investigating the metabolism of social reproduction in terms of how it preserves certain socially accepted values and ideals. Similar to Hegel in his *Philosophy of Right*, they determine the order of social spheres according to the respective function they fulfil when it comes to stabilizing and realizing the modern hierarchy of values. Neither Durkheim nor Parsons, however, employ structural socio-

logical analysis in order to develop a theory of justice; instead they restrict their purview to potential threats to normative integration, whereas Hegel seeks to locate within these processes the social conditions that, taken together, constitute the principle of justice in modern society.

The *third* premise for basing a theory of justice on social analysis is therefore the methodological procedure of normative reconstruction. To avoid the danger of merely applying immanently derived principles of justice to given reality, we must not assume that we have already sufficiently analysed social reality itself; instead we must throw into relief the essential features and particularities of that society by demonstrating the contribution that each respective social sphere makes to securing and realizing the values that have already been institutionalized in society. The image of contemporary, highly modern societies that thereby emerges may deviate in many ways from the prevailing, official image found in the social sciences; after all, we will be dealing with institutions and practices of which we generally take little notice, while pushing into the background other occurrences that generally enjoy greater attention. But such shifts between the foreground and the background, between the significant and the negligible, are not uncommon in the social sciences – a discipline whose concepts are nearly all controversial.¹² In the context of the present investigation, these shifts follow from our aim of presenting only those social practices and institutions whose normative character serves to realize socially institutionalized values.

By emphasizing the structural conditions of contemporary societies, we produce a systematic sketch of what Hegel once termed 'ethical life' (*Sittlichkeit*). Soon after Hegel's death this notion was discredited along with his entire philosophy of right. It would soon be viewed in enlightened and progressive circles as a clear indication that he sought to preserve only those customary practices and moral institutions that worked to uphold the dominant order. However, contrary to the then prevailing tendency of moral philosophy, Hegel sought to draw attention to the network of institutionalized routines and obligations in which moral attitudes not only take the shape of moral principles, but social practices as well. For Hegel, whose methodology remained largely Aristotelian when it came to practical philosophy, there was no question that intersubjectively practised customs and not cognitive beliefs are what define the homestead of morality.¹³ Yet Hegel did not intend his notion of ethical life to be a mere description of already existing forms of life;