

Dossiê: Justiça e instituições sociais na democracia

Beyond distribution Honneth's ethical theory of justice

Além da distribuição A teoria ética da justiça de Honneth

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Abstract: In this paper, the author considers the critique that Axel Honneth has formulated against the distributive model of justice for which Rawls is one of the most important theoretical representatives today. After having outlined the three main limits of the “distributive paradigm” (in terms of proceduralism, atomism, and state-centrism), he then discusses Honneth’s counter-model of justice. Honneth’s “ethical” theory of justice consists in a “normative recognition” of the “institutions of recognition” that allows individuals to experience certain forms of “social freedom” based on mutual recognition. As a conclusion, the author deals with some of the difficulties associated with Honneth’s “ethical” theory of justice.

Keywords: Axel Honneth. Theory of justice. Distribution. Recognition. Freedom. Democracy. John Rawls.

Resumo: Neste artigo, o autor considera a crítica que Axel Honneth formulou contra o modelo de justiça distributiva do qual Rawls é hoje um dos mais importantes representantes teóricos. Depois de ter delineado os três principais limites do “paradigma distributivo” (em termos de procedimentalismo, atomismo e estado-centrismo), o texto discute então o contra-modelo de teoria da justiça de Honneth. A teoria “ética” da justiça de Honneth consiste num “reconhecimento normativo” das “instituições de reconhecimento”, que permitem aos indivíduos experimentarem certas formas de “liberdade social” baseada no reconhecimento recíproco. Como conclusão, o autor trata de algumas das dificuldades associadas com a teoria “ética” da justiça de Honneth.

Palavras-chave: Axel Honneth. Teoria da justiça. Distribuição. Reconhecimento. Liberdade. Democracia. Rawls.

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Since Aristoteles, “justice” has always been coupled to the idea of “equal distribution”. In the book V of the *Nicomacean Ethics*, Aristoteles defined justice as the political virtue which consists in giving anyone her equal share. Injustice, by contrasts, means refusing someone her equal share or treating equals as non-equals (and vice versa). In this sense justice is a matter of distributing material as well as non-material goods among people sharing the same status. Some centuries later, Rawls took over the Aristotelian definition of social justice in terms of equal distribution of goods (Rawls, 1999, p. 9-10). Following Rawls, the main object of a theory of justice must be “the basic structure of society”, that is “the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation” (Rawls, 1999, p. 6). The two principles of equal freedom and of difference (mutual advantage and equal opportunities) that Rawls derives from an hypothetical “original position” should precisely endorse the function of distributing in a fair and reasonable way the non-material (rights, duties, self-respect) and the material (socio-economic opportunities, incomes) goods among people living in the same set of social institutions. As well known, the Rawlsian conception of justice as fairness has been the target of several critiques during the last decades. A communitarian critique has insisted upon the “atomistic” view on human societies that this conception of social justice seems to advocate. The procedure of a social contract by which the principles of justice are supposedly generated starts from the false premises of isolated individuals with no social bounds to one another (Sandel, 1982; Taylor, 1985a). A feminist critique, on the other hand, has stressed out that the Rawlsian approach of justice remains desperately blind to the kind of power relations involved by the gendered division of labor and more generally by patriarchy (Pateman, 1988; Okin, 1989). By reducing the scope of justice to issues of political rights and social inequalities on the market, Rawls cannot grasp the specific forms of domination that especially occur within the domestic sphere. A Marxist critique, finally, has charged the Rawlsian notion of justice for legitimizing with the principle of difference social inequalities instead of trying to abolish them all together (Macpherson, 1973; Cohen, 2008).

In this paper, I would like to examine a fourth type of critique that focuses on the distributive model of justice itself, namely the one that has been recently formulated by Axel Honneth. While sharing the major objections addressed by communitarians, feminists, and Marxists alike, Honneth’s critique has the great merit of confronting directly the inner limits of the “distributive paradigm” (Young, 1990) for which Rawls is probably the most important

theoretical representatives today. In his debate with Nancy Fraser (Fraser and Honneth, 2003), Honneth already expressed some points of contention as to the distributive model of social justice. Whereas Fraser argues for a two-dimensional conception of justice that combines an egalitarian politics of socio-economic redistribution with a politics of cultural recognition, Honneth defends a unitary model of justice based on the notion of recognition. To him struggles aiming a more egalitarian redistribution of economic goods in capitalist societies can perfectly be interpreted as struggles for recognition that strive for a more adequate application of the modern principle of contribution. Since members of modern societies associate the incomes they earn with the social esteem they attribute to themselves through relations of mutual recognition, we should better understand in Honneth's view the politics of socio-economic redistribution as being ultimately motivated by moral claims of recognition. As a consequence justice has less to do with the equal redistribution of material goods than with the possibility for each member of society to participate to diverse forms – be they affective, legal, or social – of recognition. However, Honneth's objection to Fraser's two-dimensional approach and his advocacy for a unitary model of justice based on the principle of equal recognition doesn't seem to touch the "distributive paradigm" at its heart. Indeed, as it is the case for Aristoteles and Rawls, distributive justice can also apply not only to material goods (such as incomes and wealth) but also to non-material goods (such as merits, rights and duties, and self-respect). If this is true, then Honneth's principle of equal recognition could perfectly match with a distributive pattern of justice in which what is equally distributed among the members of society is the "primary good" of recognition. Honneth needs therefore to clarify his own position in order to tackle the inner limits of a distributive model of justice and oppose to it an alternative conception in terms of recognition. This will be the main topic of the present paper: In which sense does Honneth touch the very core of the "distributive paradigm" of justice? And what is the alternative view on justice that springs from his critique? As a conclusion, I will consider some of the problems that arise from Honneth's own position. As I will try to make clear, it is not sure whether his "ethical" concept of justice remains totally in line with the different points he raises against distributive justice.

The limits of distributive justice

In an article that has appeared five years after his debate with Fraser, Honneth has very convincingly shown the inner limits of the distributive paradigm (Honneth, 2012). Those limits are threefold and are so deeply

intertwined that we may truly speak of a theoretical “paradigm”. First, Honneth accuses today’s dominating models of distributive justice for being responsible of the increasing gap between normative considerations and the actual social world. He notices that most of the contemporary theories of social justice are procedural in the sense that they construct the principles of justice by way of a two-step procedure. The procedure consists in reflecting *a priori* from the hypothetical perspective of a “social contract” upon the principles of justice that should prevail in a well-ordered society. After having been constructed through such procedure, the principles of justice can only then apply *ex post* to the social world. This two-step procedure confirms a certain gap between the *a priori* constructed principles and the real social world. In Rawls’ defense, it is true that the gap tends to be filled by way of a “reflective equilibrium” between the normative considerations of the theoretical construction and the well-considered judgments of the actual members of society. Still the “reflective equilibrium” remains itself an ideal to attain and doesn’t as such really succeed in filling the gap at stake. As Iris Marion Young has pointed out, because of their common procedural method, most of the contemporary theories of justice are overwhelmingly blind to the institutional backgrounds (e.g. the family, the division of labor, the state) that should effectively support those principles (Young, 1990). In other words normative theories of justice are condemned to consider separately the *a priori* constructed principles of justice, on the one hand, and the set of social institutions to which they supposedly apply, on the other. Some might object that the gap between purely *a priori* constructed principles of justice and the actual social world results from the procedural method and not from the “distributive paradigm” itself. Moreover, current theoretical debates on justice show that there is also plenty of room for a more sophisticated form of proceduralism. A historically situated proceduralism as that of Habermas’ discourse ethics (Habermas, 1998) is for example more sensitive to the several institutional contexts of justice than Rawls’ theory of justice as fairness. But in order to respond to those couple of remarks, we need to take further into consideration the two other limits Honneth digs from the “distributive paradigm” of justice.

The second point Honneth raises against the distributive model of justice rejoins to some extent the communitarian critique of Rawls in terms of “atomism”. From a procedural perspective, the “original position” in which persons are placed presuppose their isolation from any social bounds whatsoever. The persons who participate to the social contract are considered as isolated rational agents who, mutually self-interested, are nevertheless capable of reflecting upon the principles of justice that should prevail in a

well-ordered society. Again, one might say that the issue of “atomism” relates here to the procedural method applied by contemporary theories of justice, and not *per se* to the distributive model of justice. But Honneth makes a decisive step in his argument as he tackles the very notion of distribution. At the core of distribution lies the idea that the persons who benefit from equal distribution can be separated from the material and non-material goods that are the objects of distribution. Separating the persons from the goods they strive at is a necessary condition for the “original position” to work as a way to construct the principles of justice. The separation between persons and distributed goods leads to an “atomized” view on human societies inasmuch as persons are then presented apart from the social relations that are constitutive of the way they conceive themselves as moral agents.¹ This is especially true in the case of non-material goods such as merits, rights and duties, or self-respect. Indeed, it remains highly dubious whether such non-material goods can be “distributed” in the same sense as material goods can. Taking the example of self-respect, it appears that ordinary people do not consider it primarily as a good that could be detached from them, but rather as an essential feature of the way they conceive themselves as moral autonomous agents. Besides, their self-conception as moral agents depends in turn upon the social relations to which they participate. On the one hand, Honneth admits with most of the contemporary theories of justice that the aim of social justice is to guarantee moral autonomy to all the people involved in social cooperation. But he contests, on the other hand, that the goal of social justice is best achieved through the equal distribution of material and non-material goods. For the separation between persons and distributed goods that lies at the very heart of distribution rests ultimately on an “individualist conception of personal autonomy” in which persons could achieve their autonomy solely through an equal distribution of goods and rather independently from the social relations they participate to. Against the latent “atomism” of distributive justice, Honneth maintains that personal autonomy necessarily relies on the relational dimension of mutual recognition. The relational dimension of personal autonomy is precisely what a distributive model of justice, when it is extended to non-material goods, is unable to take adequately into account. Autonomy is acquired by persons through the medium of the social relations of recognition they participate

¹ Young makes a similar point in her critique of the “distributive paradigm”: “Something identifiable and assignable must be distributed. In accord with its implicit social ontology that gives primacy to substance over relations, moreover, the distributive paradigm tends to conceive of individuals as social atoms, logically prior to social relations and institutions” (Young, 1990, p. 27).

to, and not with the means of goods that could be distributed among them one by one.

A third and final point of critique that Honneth addresses to distributive justice is its state-centrism. In one way or another, the distributive model of justice always supposes some institutional center from which the goods are to be equally allocated to the members of a given society.² It is only by making reference to a central institution such as the state that a distributive conception of justice is able to think properly its own practical effects in the political field.³ This already creates a certain tension within the conceptual framework proposed by contemporary theories of distributive justice. If it is citizens placed in the “original position” who deliberate about the best principles of justice, it is in last resort the state that is in charge of applying those principles. Its more or less explicit state-centrism is a good example of the way distributive justice is incapable of reflecting upon its own institutional preconditions. The central role played by the state can of course be counterbalanced by democratic procedures of public deliberation and political representation. Still it is always the state and its legal apparatus that detain the ultimate power of enforcing distributive justice. Moreover, Honneth shares with the feminist critiques of Rawls their concerns about the reduction of the scope of justice implied by such state-centrism. By focusing on the state, the “distributive paradigm” tends to obliterate issues of justice that occur within the other institutional spheres of society such as the domestic sphere or the division of labor. He therefore advocates for a decentralization and a pluralization of the scope of justice in a very similar way to that of Michael Walzer’s model of “complex equality” (Walzer, 1983).⁴ Social justice needs to be decentralized and subsequently pluralized in order to encompass the claims of justice that arise from different parts of society.

The inner limits of the “distributive paradigm” – proceduralism, atomism, and state-centrism – are all deeply intertwined with the very idea of distribution. The “distributive paradigm” is unable of giving us an adequate picture of social justice, because the notion of distribution it entails remains largely unquestioned. Distribution implies persons to be detached from the goods they strive for within certain social contexts. Distribution allows for a two-step proceduralist approach of justice in which persons decide about

² See Polanyi (1957) for a similar definition of the institutional pattern of distribution.

³ See for instance Rawls’ tale of the four state department of distributive justice (1999, p. 242-251).

⁴ See also Taylor (1985b) and Miller (2001) who similarly insist upon the necessity of pluralizing justice.

the best way to distribute social goods before applying those principles of equal distribution in the actual social world. Finally, in order to apply those principles of justice in the real social world, distribution depends ultimately on the state, which appears therefore as the only institution capable of enforcing the ideal of justice.

Towards an ethical theory of justice

After having outlined the limits of distributive justice, Honneth develops a counter-model of justice that should overcome those limits. This alternative model by contrast can be labeled as “ethical” in the Hegelian sense. Honneth conceives his theoretical project as an “actualized” version of the concept of social justice that can be found in Hegel’s *Philosophy of right* (Hegel, 1991). In Hegel’s view, “ethical life” (*Sittlichkeit*) means the set of social practices and institutions that support the realization of concrete freedom (Neuhausser, 2000). The ethical theory of justice has been most extensively exposed by Honneth in his latest work *Freedom’s right*. In this book, he tries to avoid proceduralism by way of an original method called “normative reconstruction” (Honneth, 2014, p. 1-12). Contrary to proceduralism, this method starts with the actual social world in order to reconstruct the normative principles that guide people in their ordinary intercourses. A theory of justice should actually reconstruct the normative principles persons share in their everyday social life, instead of constructing them *a priori* from a hypothetical perspective. The method of “normative reconstruction” begins with the general premise, borrowed from Hegel, that the social practices and institutions in which persons have been socialized are already normatively loaded,⁵ so that the reconstruction at stake only consists in “distilling” normative principles of justice from the existing institutional framework of modern societies. In doing so, Honneth aims to bridge the gap – which procedural approaches of justice have left so desperately open – between a normative conception of justice and a sociological analysis of modern societies.

At this stage of the argument, Honneth’s proposal of a “normative reconstruction” as an alternative to procedural approaches of justice sounds however rather vague concerning the domains of justice to be reconstructed. What are those social practices and institutions that form the core of “ethical life” and from which a “normative reconstruction” tries to distil their inner

⁵ Note that, for Rawls’ social contract doctrine, “no moral requirements follow from the existence of institutions alone” (Rawls, 1999, p. 306), whereas, for Hegel’s ethical theory, the “ethical powers” of institutions “govern the lives of individuals” (Hegel, 1991, p. 190) by ascribing them rights and duties.

normative principles of justice? Whereas for Rawls the main object of a theory of justice must be “the basic structure of society” in that it determines the way social goods are distributed among different persons, for Honneth by contrast a theory of justice has primarily to deal with “the institutions of recognition” through which persons have gained their sense of moral autonomy (Honneth, 2014, p. 42-62). By paying attention to the “institutions of recognition”, an ethical theory of justice escapes the latent “atomism” carried by the distributive model of justice. The “institutions of recognition” refer to the intersubjective dimension of personal autonomy which Honneth also calls “ethical” or “social freedom”. It is only in certain institutions that persons have the possibility of experiencing a form of freedom that rests on the complementarity and mutuality of their individual aspirations. Honneth appeals here to Hegel’s philosophical treatment of love relationships to illustrate this point. Within love relationships, persons experience their individual aspirations not as constraints or barriers between each other, but on the contrary as the very condition of their mutual self-actualization. Hegel notes in his *Philosophy of right* that, through relations of love or friendship, “we are not one-sidedly within ourselves-selves, but willingly limit ourselves with reference to an other” (Hegel, 1991, p. 42). As such romantic love and friendship constitute both “institutions of recognition” in which persons have access to specific forms of “social freedom”.

The “institutions of recognition” that constitute the main object of the “normative reconstruction” are characterized by the fact that they promote the forms of “social freedom” that are carried out by relations of mutual recognition. We have seen above that Honneth wants to keep intact the ideal of personal autonomy but by giving it a relational twist. The same thing goes for the notion of equality. Equality relates here not to the equal share persons receive from a fair distribution, but to the complementarity and mutuality of the social practices they participate to in certain institutions. Within an “ethical” perspective, the focus of social justice has thus changed from that of distributive justice. Justice is not an issue about the amounts of goods that have been equally distributed among persons, but an issue about the quality of the social relations they’re involved in. Correspondingly the aim of social justice is also transformed if we adopt together with Honneth an “ethical” standpoint. The role of justice is not so much to provide an equal distribution of social goods than to guarantee to the members of society access to those “institutions of recognition” in which they have the opportunity to experience one form or another of “social freedom” based on mutual recognition.

The change in the focus and the goal of social justice corresponds to the decentralized and pluralized view Honneth wants to promote against distributive models of justice. As being the main object of justice whose function is to promote different forms of “social freedom”, the “institutions of recognition” aren’t limited to the state as it seems to be the case in the distributive model of justice. An “ethical” conception of justice enlarges our vision of justice to other institutional spheres than that of the centralized power of the state. As we have seen above, love or friendship relations are also parts of those “institutions of recognition” on which an “ethical” theory of justice focuses on. Honneth adds to them the economic sphere of the market as well as the democratic public sphere. In each of those institutional spheres, persons can experience different forms of “social freedom” based on mutual recognition. In the sphere of love and friendship, persons meet their needs in terms of affection by being engaged in mutual practices of care-giving. On the market, they cooperate with one another as producers and consumers by exchanging goods and services. In the public sphere, they participate to the democratic will formation by way of discussions about the best way to resolve the political problems they are confronted with. Unlike the image proposed by distributive models, justice is here profoundly pluralized in the sense that each form of “social freedom” embedded in those institutional spheres recognition counts as an essential part of the overall picture of social justice.⁶ In other words, to be seen as just a society must allow for each person to have access to the “institutions of recognition” that guarantee the realization of their “social freedom”.

In summary, Honneth’s “ethical” concept of justice provides us with a challenging counter-model to the “distributive paradigm”. Not only does the method of “normative reconstruction” succeed in filling the gap left open by proceduralism between normative considerations and the everyday social world, but Honneth’s relational account of personal autonomy does also lead to a decentralized and pluralized view on social justice whose principal task is then to ensure an equal participation to the “institutions of recognition”. With Honneth’s “ethical” perspective on justice, the limits of the “distributive paradigm” – its proceduralism, atomism, and state-centrism – seem to have been largely bypassed.

⁶ This is the point where Honneth’s ethical theory of justice separates itself from Habermas’ historically situated proceduralism of discourse ethics. For Honneth, the democratic public sphere is not the ultimate sphere for realizing social justice. Intimate relationships and the market need also to be integrated in order to have a full picture of social justice.

“Democratic ethical life”, in which sense?

How seducing it appears at first glance in comparison with distributive models of justice, Honneth’s “ethical” theory of justice nevertheless carries a number of problems with which I would like to briefly conclude. Whereas Honneth seems to abandon any idea of distribution, he also wishes to keep firm the principle of equality. The question we may ask is whether the notions of distribution and equality don’t actually go hand in hand. Following Honneth, the very goal of social justice is to guarantee an equal access to the “institutions of recognition” in which one form or another of “social freedom” can be experienced. Such formulation of the ideal of justice slightly suggests that the participation to the “institutions of recognition” represents a sort of “primary good” that has to be equally distributed among the members of society. After being pushed away at the front door, the idea of distribution reappears in the backyard! It is not sure therefore whether Honneth actually succeeds in sticking to the complexity and plurality of social relationships as he pretends in his “normative reconstruction”. When he reinterprets the idea of equality through that of complementarity and mutuality in social practices, he hesitates between a radical and a complex model of equality. Either mutuality in social cooperation is to be understood radically in that every participant should benefit from the same equal status. Or equality is declined in different ways within the “institutions of recognition”.

In the first branch of the alternative, radical equality compromises the idea of a pluralized view on justice. For indeed what would it mean for parents and children in love relationships or for producers and consumers on the market to be *perfectly* equal? Social practices imply differentiation of social roles that contradicts a radical principle of equality. In the second branch, where equality is conceived by contrasts as complementarity between socially differentiated roles, one might with good reasons criticize Honneth’s conception of justice for offering us a too much “idealized” view on the existing institutions of marriage (Young, 2007) and the market (Jütten, 2015). To be sure, Honneth’s aim is not to describe the “institutions of recognition” as they are, but to reconstruct the normative principle of justice that guide persons participating in those spheres. But what if those institutions were *structurally* unjust? As Feminists and Marxists have argued, wouldn’t the realization of the ideal of social justice demand for the abolition of marriage and the capitalist market instead of ensuring an equal access to them?

The set of problems associated with the notion of equality is best summarized through Honneth’s idea of a “democratic ethical life” (Honneth,

2014, p. 63-68). It remains highly unclear in which sense the “democratization” of the existing social practices and institutions is here to be understood. “Democratization” (in terms of equalization) could mean on the one hand a radical transformation of those social practices and institutions. But then the very domain of Honneth’s “normative reconstruction” which is formed by the “institutions of recognition” is condemned to vanish under the pressure of such radical equalitarian politics. On the other hand, “democratization” refers to an already existing setting of social practices and institutions in which mutual recognition prevails. Just like the distributive model he criticizes, Honneth seems to reduce the scope of social justice. The only difference between his “ethical” conception and the distributive model of justice is that the former makes room for three institutions (intimate relationships, the market, the public sphere) whereas the latter acknowledges but one (the centralized state). We might to a large extent agree with the very convincing way in which Honneth criticizes the “distributive paradigm” of justice and its inner limits. But, as we have seen in conclusion, some doubts appear about Honneth’s own “ethical” model of justice.

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