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BEATE RÖSSLER

KANTIAN AUTONOMY AND ITS SOCIAL PRECONDITIONS
ON AXEL HONNETH'S *DAS RECHT DER FREIHEIT*

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I.

Axel Honneth's *Das Recht der Freiheit* is an immensely impressive and very ambitious book, with a sophisticated architecture, a wealth of knowledge, and is one of the few philosophical works in practical philosophy over the last decades with a general systematic-theoretical claim. In my brief comments I can only discuss one small aspect, so I shall focus on the chapters dealing with the possibility of freedom.

Whereas in the book's first chapters on the history of the concept of individual freedom Honneth presents a chronological sequence from negative freedom (Hobbes) via reflexive freedom (Kant) to social freedom (Hegel), interpreting each idea of freedom as corresponding to an ideal of justice and demonstrating the ways in which they are geared together, it is only in the second part, on the *possibility* of freedom, that he points out the systematic connections between the three concepts – or conceptions – of freedom. It is because of the insufficiencies of the negative legal concept that we have to go further and develop a reflexive moral concept of free-

dom in order then to understand that both can 'become real' only if they are understood as elements of social freedom and its institutionalization in 'Sittlichkeit' or 'ethical life'.

Legal freedom and moral freedom are both in their specific ways deficient, because – roughly – they mask their need for institutional settings in order to 'become real'. They need the institutions of the social world without which they remain mere possibilities of action. In not conceptualizing their institutional preconditions within their own theory, they remain parasitic on these very institutions and on the practices of the life world (see e.g. Honneth 2011: 221). Social institutions, therefore, represent the *objective moment* which is necessary to realize freedom in its subjective – moral – form (see Honneth 2011: 105, 107).

In what follows I shall focus on this idea of moral freedom and on the question of its relation to the social world. I shall defend a Kantian notion of moral freedom, or personal autonomy, against Honneth's criticism, by arguing, firstly, that moral freedom, or personal autonomy, is always already part of the life-world, thus anchored in social life; and, secondly, that this social dependency does not give the social institutions their own normative force, competing with or even overriding moral freedom.

II.

Honneth develops moral freedom as Kantian autonomy as a response to the purely negative freedom from *external* hindrances: autonomy means to be free also from internal impediments or obstacles. It is odd, though, that Honneth reconstructs Kant apparently from the perspective not of the *Grundlegung*, but predominantly of the *Rechtslehre*: the heart of the Kantian thesis is presented as the possibility 'to reject claims which do not fulfill the criteria of a possible agreement by all those affected' (Honneth 2011: 179). As he puts it: 'The Kantian idea of moral autonomy does not primarily enlighten us about how we should actually structure our life and actions, but about the permanently present possibility to question existing conditions with respect to their legitimacy.' (Honneth 2011: 179)

This is not wrong, of course. But it is a shift of perspective which makes it easier for Honneth, as we shall see, to construct the Kantian approach in a slightly misleading way. In the *Grundlegung* as well as in the *Kritik der praktischen Vernunft* and in the *Tugendlehre*, Kant is primarily concerned with the question: what should *I do*? Which of my actions – or maxims – could others reasonably reject?¹

That this is more than a choice of presentation becomes clear in Honneth's characterization of Kantian moral freedom as monological, formal and empty – a criticism which runs, basically, along the lines of Hegel's original criticism of Kant (see, for instance, Honneth 2011: 69: 'thought completely monologically', and 195: 'unattached'; see also 189). Honneth wants to make the point as forcefully as possible that what he calls moral freedom cannot, by necessity, take into account its own social preconditions, its own rootedness in the lifeworld. Let me briefly point out why I think this is misleading.

Ends, for Kant, are always already adopted by subjects in their social contexts. It is from maxims that we start to consider the morality of our actions, and maxims necessarily have a content, a context, an end. It is maxims that we judge in their morality, not single actions. That Kant was aware of the social preconditions of any moral theory and that he was aware of the situatedness in a social world is evident, I think, not only from the structure of his argument in the *Grundlegung*, and therefore from a number of passages, but certainly from the second formulation of the categorical imperative: every rational creature is an end in itself and we must never treat others merely as means to an end. In one of his explanations of this form of the Categorical Imperative he states: 'For, the ends of a subject who is an end in itself must as far as possible be also *my* ends, if that representation is to have its *full* effect in me' (Kant 1997: 39/AA 4: 430). 'As far as possible', since not every end which someone else chooses could also be my own end – immoral ends are excluded. We have to conceive of ourselves and of other subjects as participants in a social world with pluralistic ends which we all share and mutually support. Morality, in Kant's sense, is therefore not parasitic on the social world, as Honneth thinks, but rather is its *organizing principle*.

Honneth, however, wants to go one step further: his central objection is that a Kantian impartial morality is only superficially related to its social conditions and cannot describe and interpret what it means, for instance, to be a real friend and at the same time a morally responsible agent; moral freedom, Honneth argues, means that we free ourselves from personal relations and obligations and that we cannot, *under the idea of moral freedom*, act at the same time as friends, or lovers, mothers, compatriots.

Let us look a little closer at an example that Honneth gives: the case of a friend and colleague who has committed plagiarism which gives rise to the question of what one should do when confronted with such a friend. Kant, Honneth believes (Honneth 2011: 201), could not even state this as a possible conflict, since moral freedom easily tells us what is wrong and what we have to do.

Note that Honneth's example does not, strictly speaking, belong to the class of the 'one thought too many' examples which Bernard Williams made famous in trying to demonstrate the inherent limits of Kantian moral universalism. In the plagiarism case, we are not confronted with a moral dilemma which we have to give enough – but maybe not too much – thought: the friend knows immediately where the moral fault lies and why it is one. It is not that one thinks that plagiarism could be all right if our friends commit it, or at least it would be rather astonishing if Honneth would want to defend that. The conflict lies somewhere else: between the insight that a moral fault has been committed and the ethical obligations we have toward our friends. Kantian morality makes it easy for us to diagnose the moral fault in plagiarism: the idea of impartiality and the Categorical Imperative as a procedure to judge the moral value of maxims would tell me, if I had something like the maxim 'I want to commit plagiarism if I can be relatively sure not to be found out, or only by my friends', why that maxim would not qualify. It is not an end I could adopt myself; so it is excluded from the possible ends which make up the social and moral realm of ends.

So what are we to do when we discover a friend having committed a moral mistake? Do we have to tell him? Do we have to make it public? Kant nowhere says that we have to be blunt to our friends. Kant's ethics is an

an ethics for agents and their questions about how to act in their social relations with others. It is not, and certainly not primarily, an ethics which is directed at finding moral fault in others. He does say in the doctrine of virtue: 'From a moral point of view it is, of course, a duty for one of the friends to point out the other's faults to him; this is in the other's best interests and is therefore a duty of love.' (Kant 1991: 262/AA VI: 470) So it is because we love our friends that we tell them if we think they have made mistakes. And nowhere does Kant say that we are prohibited from forgiving our friends if they have committed a moral wrong (see, e.g., Baron 1988).

The problem is, I think, that for *any* moral theory we can encounter, in our social life, ethical situations where we do not immediately know what to do. Certainly, if somebody else's mistake is at stake, we have to be careful not to compromise our moral convictions and not to fall short of our ethical obligations. No moral theory would have to deny this, as no moral theory can deny that plagiarism is a moral fault. But when it comes to how we solve a *personal* conflict neither Hegelian *Sittlichkeit* nor moral freedom can give us a clear or simple recipe. As autonomous agents, we have to decide ourselves.

III.

Yet, Honneth wants to go one step further: he would still maintain that in Kantian ethics, as opposed to Hegelian social freedom, you cannot properly articulate a *genuine conflict* between ethical obligations toward friends on the one hand and the claims of impartial morality on the other.

The reason for this lies in the Hegelian conviction that *institutionalized* social life is a logical-ethical precondition for the realization of moral as well as legal freedom. If, therefore, social life always expresses itself in established institutions, then participants in moral discourse will, at some point, come up against normative rules 'from which they cannot free themselves completely since these (sc. the normative rules) have to be

seen as the essence of their social life-world' (Honneth 2011: 198). These normative rules from which we cannot free ourselves have their normative source solely in institutionalized social facts. Therefore, moral and legal freedom are necessarily restricted: 'They are permitted by Hegel only as far as the institutional structure of real, social freedom is not being put in danger; they ought only to accompany the ordered system of the ethical institutions' (Honneth 2011: 198).

In this as well as in a number of other passages Honneth seems to argue that social freedom and the social life expressed in existing social institutions has *priority* over the claims of moral and legal freedom. This goes hand in hand with the argument that Hegel has to determine and restrict 'beforehand' ('vorab') the range of possible ends subjects can pursue. Ends, therefore, are not self-determined in a strict sense, but 'in advance' ('vorweg') qualified as permissible (or not) by the social world.² Any claim to criticise social facts or institutions or to construct ends *with reference to moral freedom* and its guiding idea of *practical reason* is doomed to failure and leads, eventually, to characteristic pathologies. These pathologies result from individuals suppressing or masking the moral facticity of their social world.³

Without being able to go into details here, it is evident that this comes very close to a communitarian position: with respect to individuals, it means that social roles are guiding our lives in providing us with meaningful ends; socially, and politically, it means that the 'institutional structure of real, social freedom cannot be put in danger' by individual moral and legal freedom (see Honneth 2011: 198).

Of course, Honneth claims that social freedom is not possible without moral freedom. He claims that subjects have to reflexively agree on the obligations of the different roles they inhabit. But this reflexive agreement is always already determined, limited from within, since the norms of social institutions in the guise of already more or less accepted ideas always delimit the possibilities – the ends – of moral freedom.⁴

For Kant, moral freedom, or personal autonomy, is situated in a social world where subjects have ends which they follow, live according to their maxims, and orient themselves more or less autonomously in their social relations. But this is, strictly speaking, a chronological dependency: moral freedom has to keep its priority over existing social contexts and institutions since otherwise it would not be what it is supposed to be: individual freedom. If you want to have the cake of moral impartiality, individual autonomy and individual reflexive agreement, then you cannot also eat it by granting the social institutions of a given period normative priority over moral freedom, by claiming that moral freedom only accompanies ('flankieren') the real core of freedom: social freedom.

Kant, in his analysis of the social preconditions of morality, stops short of giving social institutions their own normative force; he insists on the difference between social enabling conditions for individual autonomy and the necessity of being able to put social and political conditions into question. This puts a lot of weight on autonomous agents, but it does not make them forgetful of their social relatedness (they have to know what it means, say, to be a friend); neither does it solve all conflicts for them. It is the autonomous agents themselves who have to solve moral, ethical, social, and role-related problems.

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¹ This focus on the perspective of the first person and her own life and actions in relation to the life and actions of others corresponds to the focus on virtue in the doctrine of virtues, for instance when Kant marks out just two ends which have to be duties at the same time, namely one's own perfection and the happiness of others (see Kant 1991: 190/AA VI: 385, 195/AA VI: 391).

² See, for instance, Honneth 2011: 106 ff.

³ See Honneth 2011: 208-9 on the moral universalist who supposedly neglects the moral facticity of social reality.

⁴ See Honneth 2011: 204 for a summary of this position.