Normative Recursion

on Recursive Grounding and the Capacity for Radical Critique in Formal Pragmatics, Recognition, Social Freedom and Justification

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Abstract

This thesis explores the meta-ethical question: What properties would be required of a normative critical concept in order for it to be (a) derived from the social facticity of prevailing norms, practices and institutions in a given society and (b) still be capable of informing radical critique? This thesis takes radical critique to mean one that escapes all charges of status quo biases and thus truly transcends the immanent content of the norms, practices and institutions from which it was derived.

This thesis asserts that the necessary property of such a concept is recursion. That is, the property of a self-referentiality that allows for something to hierarchically contain copies of itself. The idea of finding the property of recursion in normative political theory and defending its utility is undertheorized in the political theory literature. By locating the property of recursion in the formal pragmatics of Jürgen Habermas, in Axel Honneth's concepts of recognition and social freedom and in Rainer Forst's concept of justification, this thesis remedies this situation. In doing so, a space is carved out for normative political theory between foundationalism and anti-foundationalism and between the utopian and realist approach.

Key words Formal Pragmatics, Recognition, Social Freedom, Justification, Recursion, Normative Validity Surplus, Critique, Reconstruction, Normative Foundations

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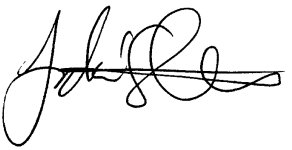
Signature  Date 2021-04-12

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Introduction

If normative recursion is the solution then what is the problem?

The central puzzle informing this thesis is: Can we on the one hand say anything authoritatively about which norms, practices and institutions in a society should count as progressive and which should count as reactionary, while we on the other hand admit the lack of an Archimedean point from which such normative assessments can be made? Or, framed inversely, can we be aware that our standpoint for such evaluations itself is part of our object of inquiry and still maintain the possibility of authoritative normative critique? The difficulty of this question is compounded by the fact that any open society in the globalized world of the twenty-first century experiences evermore competing and even incommensurable conceptions of what the good life might mean. As a consequence of this increasing ethical complexity, any single normative evaluative standard derived from any single ethical horizon risks appearing more arbitrary than authoritative.

It is with this fundamental problem as a backdrop that this thesis asks: What properties are required of a normative critical concept in order for it to be (a) derived from the social facticity of prevailing norms, practices and institutions in a given society and (b) still be capable of informing radical critique? Here, the idea of radical critique refers to critique that is capable of transcending the normative horizon from which it was derived.

In posing this question, three inescapable assumptions are made: First, that the landscape of norms, practices and institutions in a society displays the characteristic of value pluralism such that it is not obvious which norms, practices and institutions are the right ones. As List and Valentini explain, "[T]he political theorist, at least under modern conditions, is engaged in problem solving under a particular constraint: the presence of pluralism and disagreement about how to solve the problem at hand" (List and Valentini, 2016: 3). Second, that it is not

only possible but even desirable to look for critical theories that nevertheless attempt to formulate regulative ideals with which authoritative critique can be performed. And third, that it is meaningful to search for some minimal normative universalism while also respecting the first assumption of an irreducibility of ethical conceptions of the good in a society.

These fundamental assumptions are of course not trivially true and any one of them is susceptible to debate and problematization. For instance, if one takes the view from *within* an ethical conception, it is not obvious why that particular one should not be considered 'the right one'. Yet, even if one takes on a disinterested perspective *outside* of any one ethical conception, the whole idea of searching for regulative ideals and the possibility of authoritative normative critique – let alone any talk of normative universalism – might reek of conceit and ivory tower refereeing. Do such attempts not inevitably mirror the power structures from within which they were dreamed up and do they not run afoul of ethnocentrism or Eurocentrism, etc.? These are of course serious problems that deserve careful attention. While I think it is uncontroversial that it is the role of political theory in a pluralistic society to try and remove itself from any one ethical conception in order to make general statements, the matter of the risk of reproducing power structures is more delicate. Nevertheless, it is my hope that the inclusion of recursion to the equation of normative critique will help to alleviate some of these concerns.

Thus, this thesis argues that it is the property of recursion that allows a normative critical concept to make evaluations of what kind of political action is permissible while simultaneously avoiding determinism by closing off the spectrum of future permissible political action. This is a significant contribution to our understanding of how to overcome the paradoxical situation that some normative theories are reflexively aware of being the product of the ideas of a certain time and place while also laying claim to universal validity. That is, I argue that recursion explains how such normative theories can contain a normative validity surplus that allows for a degree of indeterminism of their substantive normative content without contradiction. Here, it is important that the property of recursion still allows for some degree of substantive normative content, such that universal validity can be claimed for more than just purely empty procedures.

In extrapolating, comparing and contrasting the property of recursion in the formal pragmatics of Habermas, in the recognition and social freedom of Honneth as well as in the concept of justification in Forst's work, this thesis also explores the method of rational and normative reconstruction that underpins these critical concepts. Here, I argue that the reconstructive method helps to

overcome many of the entrenched positions in the debate regarding the aim of normative political theory, such as ideal versus non-ideal theory, realism versus utopianism, fact-sensitivity versus fact-insensitivity and differing views of the capacity for action-guidance. Further, I find that recursion also contributes to the debate on how to ground normative political theory, since it makes possible an epistemic awareness of the contextual situatedness of these critical concepts' own normative foundations that does not require us to abandon the pursuit of finding evaluative standards which are non-arbitrary and universally applicable, i.e., objective. This thesis proposes that such a foundation should be understood as recursive grounding.

Illustration by way of a thought experiment

A thought experiment from a completely different social domain might help to illustrate this central problem and how some of the ideas of the suggested solution are supposed to work. The following example should be seen merely as an 'intuition pump' aimed at prompting our normative and evaluative judgements in the direction of how judgments work within the scheme of normative recursion (List and Valentini, 2016: 18). Rather than the normative content of a society's norms, institutions and practices, let us instead consider the aesthetic domain of art. Most people, except for perhaps the most high-brow insiders, would agree that it is impossible to say anything authoritatively about what is beautiful or not. A sculpture that induces the giddiest joy in Alice might make Bob squirm with discomfort because of its sheer inappropriateness. In the world of art, it seems easy to accept that it is impossible to come up with a golden standard with which to compare the artistic value of, say, a Rembrandt and a Banksy. This is of course because most people are quite at ease with the inherent subjectivity of assessing artistic expression. Once works reach the threshold (whatever that may be) of being deemed worthy as art, it seems almost a little naïve to compare and rank them.

Now suppose that we put this acceptance of inherent subjectivity to the test by imagining that we were to judge the artistic value of a figurative painter, an expressionist sculptor and a contemporary performance artist. In this imagined scenario the threshold for art is the authenticity of artistic expression on the part of the artist, and all three artists here sincerely stand by their works. On the surface it would therefore seem arbitrary to reject the artistic value of any of the pieces. But now consider the situation if it turns out that the art form of the

contemporary performance artist is to destroy other works of art with a giant hammer, perhaps as a nihilistic tip of the hat to the meaninglessness of art as such. Does this added information merit a reconsidered judgment such that we dare suspend our relativistic position and reject the artistic value of the work? And if so, how do we come up with a framework that justifies our judgement, given that the performance piece truly was a work of art as per our own criteria of authenticity?

I would argue that indeed we both can and should reconsider our judgement and reject the artistic value of the piece. And further, that it is possible to come up with a framework that could justify such a considered judgment without completely abandoning our commitment to the inherent subjectivity in the evaluation of art. What is needed here is to derive or reconstruct an evaluative standard from the object of inquiry itself, that is to say, from the aesthetic domain in its totality. Roughly, such a standard would not adhere to the standards of any specific artistic direction such as naturalism, impressionism, expressionism, etc., but would instead take as its critical input the idea of artistic expression as such. In that case, we can reject any work of art that essentially negates art itself without reference to the superiority of one school of art over another. Such a reconstructed standard thereby manages to respect our commitment to the inherent subjectivity of judging artistic expression, while still providing us with a minimal rule for how to reject some of these expressions.

This thought experiment conveys some of the central features of the normative recursion presented in this thesis. This kind of reconstructed rule mirrors the regulative ideals that stem from the critical concepts of formal pragmatics, recognition, social freedom and justification in the following way: it is a formal rule in the sense that it does not in advance preclude new and hitherto unimagined expressions – and yet it is also a normatively substantive rule in the sense that it does provide the grounds for normative evaluations. And further, in the language of recursion, we can say that such a rule allows for infinite expressions of a certain kind.

The possibility of establishing this kind of rule hinges on the methodological premise that it is founded on the logic of some domain in its entirety rather than on some particular variant therein. As we will see, this is what allows us (together with Habermas) to say that an utterance whose claims to validity cannot be discursively redeemed therefore cannot lay claim to be aiming for mutual understanding. And (together with Honneth) it allows us to say that a demand for recognition of an identity that itself is founded on decreasing society's inclusiveness and the overall number of individual identities is regressive. And

finally (with Forst), it allows us to say that a justificatory reason (given for some social arrangement) that is neither reciprocal nor general in scope therefore cannot serve as an acceptable justification. In each of these cases, just as in the thought experiment, it is the negation of the thing itself (mutual understanding as such, recognition as such and justification as such) that serves as our evaluative standard, and not some particular expression of that thing.

What is the promise of normative recursion?

I think it is worthwhile to try and explain my motivation and interest in finding recursion in normative concepts. This motivation stems from my intuition that it could be the saving grace for critical normative theory in the present day. And further, it also stems from my interest in the question of foundations when it comes to normative evaluations. Together, these motivations have led me down the rabbit hole towards the belief that the property of recursion is foundational to the kind of normative political theory we need today.

In order to understand why I place such a high premium on normative recursion, I have to explain my implicit assumption about the times in which we live. I think the branch of political theory concerned with emancipation – but perhaps even people in general – finds it difficult to make normative judgements. People are in a way too aware of the insight that normative judgements are always contextual; that they emanate from some particular point of view. This important insight has made us aware that we risk forcing our perspective upon opposing points of views in a way that cannot ultimately be justified. We risk arbitrarily dominating other people's conceptions if we state our view regarding what is right or good and imply that it, rather than competing views, ought to be the preferred one.

There is an unease to this situation – one where we risk, because of the best of intentions, not being willing to make normative judgments at all. This is a risk, because in this situation oppression and domination from other less reluctant corners roam freely. The normative horizon of any society is never a vacuum – it will be filled. I think many people will find this assumption overly dramatic, but I believe that we do see this kind of reluctance in those concerned with emancipatory considerations today. This is, of course, only a motivating intuition, and not one I will back up empirically.

It is against this backdrop that my interest in recursion and the belief that its properties, when applied to the normative realm, will be of use. Simply put, I try

to demonstrate how recursive properties afford us a normative frame that we can safely 'impose' on competing conceptions of the good, without fear of exercising arbitrary domination of one contextual point of view over others. This is a function of recursive rules being able to produce potentially infinite outcomes. This means that if I can show that certain normative concepts are recursive, then I can also show how the normative rules that govern these concepts will be able to both provide substantive evaluative standards and at the same time not pre-determine which normative positions are allowed and which are denied. The main thrust of this thesis is concerned with making sense of this seeming contradiction; that is, to show how it could possibly be that a normative concept can work as an evaluative standard while not forcing one particular normative point of view upon others. Below, I propose to reserve the term *radical internal critique* for such a capacity.

I believe recursion gets to the heart of this. And as such, that recursion should be understood as essential to thinking about the foundations of normative political theory concerned with emancipation today.

Radical internal critique

This thesis locates a common capacity for what I call *radical internal critique* in the critical theories of Habermas, Honneth and Forst, specifically by looking at the concept of formal pragmatics of Habermas, the concepts of recognition and social freedom of Honneth and the concept of justification in Forst's work. The term *radical internal critique* is used as a placeholder for the identification of a shared aspect of the critical normative methodology attached to these concepts. The central challenge that radical internal critique seeks to address is: How might me arrive at a critical concept whose evaluative standpoint is context-dependent, i.e., derived from historically specific and contingent norms, practices or institutions underlying society, yet which is capable of informing a critique which invokes normative principles that are not yet underlying society's norms, practices and institutions? (Schaub, 2015: 108). In other words, an immanently derived critique (Sabia, 2010; Antonia, 1981) which radically transcends its own immanent grounding. In the following chapters I will in various ways point to recursion as the central device that allows for such a critical methodology.

From the outset, radical internal critique promises three things. First, it promises to deliver critique. Second, it promises that the evaluative standards of such critique are internally grounded, by which I mean that they are immanently

derived. Third, it promises that this critique is radical, by which I mean that this critique is non-conventionalist. Let us go through what these promises entail.

First, radical internal critique promises to be able to deliver *critique*, rendering theories that utilize this concept *critical theories*. Following Jean-Philip Deranty, I broadly take critical theory to mean the pursuit of theoretically understanding social reality in order to point the way towards freedom: "Critical Theory can be defined as an original intellectual endeavour that seeks to perform two tasks: (i) a theoretical task of description, comprehension, and explanation of social phenomena that is guided by (ii) a practical interest in emancipation, that is the realisation of freedom for all" (Deranty, 2021: 267).

Second, radical internal critique promises to be *immanently* grounded, which, following James Gordon Finlayson, I take to mean, in its most basic form, that such critique criticizes any object "on its own terms" (Finlayson, 2014: 1143). Insofar as all criticism must necessarily have an appeal to some sort of evaluative standard, then what is special about immanent critique is that "*the standard of criticism belongs* to *or inheres* in […] *the object of criticism*" (Finlayson, 2014: 1145). This understanding of immanent critique is especially interesting in the case of normative critique, where the immanence referred to can be norms, practices and institutions. In normative political theory of the immanent critical kind, the norms in question are, of course, often moral norms (and moral practices and institutions), as they pertain to the fundamental ethical questions related to how people in a society ought to act. This essentially means that normative political critical theory that is immanently derived either makes moral judgements or at least points towards a procedure for making correct moral judgements based on the study of the morality already in place in the society to which its criticism applies.

Finally, radical internal critique promises to deliver a critique that is not based on conventionalist norms or vales, nor one that is inherently status quo maintaining. Or stronger yet, it promises to deliver transcendental criticism in which the critical evaluation makes use of recourse to an evaluative standard that is somehow external to the thing to which the critique is meant to apply. Now this might seem an odd promise and perhaps even contradictory to the assurance of immanent grounding. But this seeming contradiction points to the crux of this thesis: to show how radical internal critique – from immanent analysis – locates in social practices critical reservoirs that allow for non-conventionalist and even status quo transcending critique. This thesis proposes that it is the *recursive property* of certain critical concepts that allows for this combination of immanence and transcendence.

Normative recursion

The property of recursion enters this thesis on two levels. First, as a property of the rational and normative reconstructive methods of grounding normativity in Habermas and Honneth, respectively. With the reconstructive method, both Habermas and Honneth are able to derive evaluative standards that transcend the initial fabric of the social phenomena from which they are derived. This thesis shows how this transcendence relies on what I call a teleological premise, namely that this underpinning reality intimates a normative direction – a direction that can be hypothetically anticipated by critical theory and employed as a critical yardstick for evaluations concerning the present. This teleological premise, I argue, displays a recursive relationship between past, present and future, when the normative content of such yardsticks is derived from a hypothetically anticipated future, projected from our past, and brought back to bear on the present as a normative stance.

Second, recursion enters this thesis in the analysis of formal pragmatics, recognition and justification as imbued with recursive properties. To show these properties, this thesis depicts all three concepts as so-called recursive transition networks. This idea refers to presenting the dynamics of a series of steps in a procedure that is self-referentially recursive. In other words, these concepts – when seen as procedures – at one point contain a copy of themselves.

The aim of showing this recursion is to make the argument that it is the normative recursion in these concepts that make them capable of radical internal critique. I find this capacity important, because it provides a special kind of normative potency that makes them particularly suitable for critical theory today: It makes them capable of delivering useful normative evaluative standards that still leave open the possibility of infinitely many expressions thereof. In other words, normative recursion provides fixed-yet-flexible evaluative standards. These are fixed in the sense that they provide normatively substantive and action-guiding principles with which progressive tendencies can authoritatively be discerned from regressive ones. But they are also flexible in the sense that they do not determine once and for all which concrete substantive positions we should consider as normatively permissible. Normative recursion, in other words, delivers critical standards that allow for an infinite number of expressions *of a certain kind*. This recursive open-endedness guarantees that the normative force of these standards never becomes oppressive by merely arbitrarily expressing the particular value-horizon from which they are derived. It promises, that is, a non-ethnocentric

universalism suitable for making authoritative normative evaluations in a global context defined by increasing value-pluralism.

The nature of normative recursion

The normative recursion presented in this thesis is located in discursive processes. That is, it is located in dialogues between alter and ego trying to reach mutual understanding; in intersubjective struggles for recognition; or in discursive practices of demanding and giving reasons. But what does it mean that normative recursion is found here? What exactly *is* normative recursion in this context? I believe this question about the ontological status of normative recursion can be answered at two levels: as a basic logical scheme and as a factual characteristic of certain social behavior with normative content. While the first level should be fairly easily acceptable to most readers, I think the second level contains a more interesting, but perhaps also more difficult, claim about the ontological status of normative recursion as social fact.

On the first level, recursion is a logical scheme or pattern that allows us to explain certain behavior. On this level, for instance, recursion can explain such varied processes as the self-replication and expansion of algorithms, DNA or language itself. In the normative context of this thesis, recursion thus understood can help explain the mechanisms whereby certain discursive practices generate self-validating and expanding normative social orders. Here, recursion can be seen as a logical/mathematical scheme with an explanatory power that allows us to make sense of the workings of certain critical normative theories. Recursion is in such contexts a theoretical construct with methodological properties. I think most people would find this an acceptable explanation of what recursion *is*. On the other level, however, we can take things a step further: Here, normative recursion must be seen as an actual property of those discursive practices described by said critical theories. That is, recursion as a property of the human capacity for generating normativity through practical discourse (or more precisely, as a property of the human capacity for generating certain kinds of self-validating and open-ended normative frameworks). Recursion is a normative tool available to those engaged in practical discourses concerning political struggles.

On this second level, recursion is more than an explanatory scheme that we can impose on human normativity in order to make sense of and theorize about it. If we accept the concepts of formal pragmatics, recognition, social freedom and justification as (idealized) descriptions of actual human practices, and if we accept

this thesis' claim of the recursive properties of those concepts, then it follows that we must also accept normative recursion as an (idealized) property of the human capacity for generating normative orders. The ontological status of normative recursion, then, is that of a fact about certain discursive practices in normative orders based on critical concepts with recursive content. Still, even if we grant normative recursion the status of fact in this sense, it is a fact in the same manner as the many abstract nouns we often take as factual in everyday life, such as culture, beauty, honor or tolerance, etc., are facts That is, it is an intangible phenomena that nevertheless describes social behavior with very real consequences. Here, the normative orders that arise from discursive practices of people trying to reach mutual understanding, demanding and giving recognition, and exchanging reasons in attempts to justify social arrangements, simply *are* recursive in nature – these concrete practices contain their own evaluative standards. It is through Habermas, Honneth and Forst's theorizing about these practices that they are able to infer their idealized normative content and see how they work as regulative ideals.

I maintain that both levels of explanation for the ontological status of recursion are correct. The first level provides a valuable scheme for theorizing about well-functioning critical concepts. Here, the scheme of recursion methodologically helps us to understand how some critical concepts have a certain way of working: namely, that their normative rules are fixed-yet-flexible. In other words, their rules remain in place even as they display an open-endedness to the normative output they allow. The second level, however, contains the more interesting – if also speculative – claim that normative recursion reveals a truth about the human capacity for generating self-validating normative orders. I say speculative, because the theorizing in this thesis is of course far from any kind of proof of such an anthropological, social psychological or cognitive capacity. What it is, however, is a theoretically substantiated claim of such a capacity that is in principle both testable and falsifiable.

The methodology of critical theory

Critical theory can be defined narrowly or broadly. In the former case it refers to "several generations of German philosophers and social theorists in the Western European Marxist tradition known as the Frankfurt School" (Bohman, 2021: para. 1). In the latter case it refers to all modes of social inquiry aimed at locating and transforming all the circumstances that coerce and oppress people. When I

refer to critical theory in this thesis, I employ the narrow definition relating to the Frankfurt School. But even with this delineation, critical theory remains a diverse category that contains approaches to social inquiry with very varied object-domains. As David M. Rasmussen explains, critical theory has found modes of expression in discussions concerning domains as varied as aesthetics, history, pragmatics, psychoanalysis, ethics, empirical science, justice, democracy, civil society, autonomy, and the philosophy and sociology of law (Rasmussen, 1999: 1). With such a variety is it clear that we cannot speak of one unified methodological approach to critical theory. What we *can* speak of, instead, are some general distinguishing features of the social inquiry performed within the Frankfurt School tradition.

Following Raymond Geuss, we can distinguish between the Frankfurt School variant of critical theory and scientific theories in general along three dimensions: their goal, their cognitive structure and their view on what can be considered evidence (Geuss, 1981: 55).[1] Regarding its goal, Frankfurt School theory aims at emancipation and enlightenment by providing agents with an awareness of hidden or explicit sources of coercion. In contrast, scientific theory has instrumental aims, as they ultimately seek to clear the path for successful manipulation of the world to some chosen end. Concerning its cognitive structure, the critical theory of the Frankfurt School sees itself as part of the world it seeks to describe and analyze. It is "'reflective', or 'self-referential': […] critical theories are always in part about themselves" (Geuss, 1981: 55). In contrast, scientific theory maintains a sharp division between itself – the scientific method – and the objects it describes. As Geuss notes, Newton's theory was not itself a moving particle (Geuss, 1981: 55).

Finally, in regard to the question of evidence, claims made within the Frankfurt School tradition are only considered confirmed insofar as they are reflectively acceptable. As Geuss explains, "critical theories are acceptable if they are empirically accurate and if their 'objects', the agents to whom they are addressed, would feely agree to them" (Geuss, 1981: 79). In contrast, a scientific theory reaches confirmation simply through empirical observation and experiment and does not need to concern itself with whether or not people (laymen) in general accept it. It is a special feature of Frankfurt School critical theory, then, that it must accurately describe an empirical reality of both coercion and potentials for

[1] Note that Geuss does not include Honneth and Forst in his analysis, which deals with the Frankfurt School from Adorno and Horkheimer to Habermas. But insofar as Honneth and Forst can be said to continue this research tradition, I believe Geuss' distinction between critical and scientific theories holds for them as well.

emancipation – and that the criteria for its confirmation are inherently self-referential. Not only is critical theory part of its own object-domain, but its confirmation also depends on whether or not the agents, whose situation it seeks to describe and for whom its prescriptions are made, will accept it "after thorough consideration in conditions of perfect information and full freedom" (Geauss, 1981: 78).

Working with such emancipatory goals, with cognitive self-reference and with reflective acceptability as a criterion for confirmation implies at least one particular methodological demand: above all, the demand that such a program synthesizes facts and values. As Michael J. Thompson explains, Max Horkheimer (a founding father of Frankfurt School critical theory and early director of the *Institut für Sozialforschung*) laid out a program for critical theory where factual description was necessarily intertwined with normative prescription through the instrument of critique:

> For Horkheimer, 'critical theory' was to be counterposed to 'traditional theory' in that the latter was concerned only with some descriptive analysis of a problem or phenomenon, whereas a critical theory of society sought explanation as well as the normative evaluation of what made the object of investigation problematic (i.e., a synthesis of 'facts' and 'values'), not to mention that it would also have to identify the agents responsible for its transformation […]. Now, social problems examined with the explanatory methods of the social sciences could be dialectically transformed by the evaluative categories of moral judgment and with an eye toward the practical-transformative activity needed for its resolution.
>
> (Thompson, 2017: 6)

The methodological premise of being able to synthesize facts and values becomes particularly salient with the method of reconstruction. As Jørgen Pedersen explains (particularly in relation to Habermas' rational reconstructive method), the promise of this method is to "be able to avoid the division of labor that so far has led to a separation between normative disciplines such as moral philosophy on the one hand and the objectifying social sciences on the other" (Pedersen, 2008: 466). With reconstruction, the synthesis of facts and values is celebrated and seen as necessary for the emancipatory aim of critical theory. In Habermas' own words, reconstruction does not give rise to a particular methodology. Instead, it points towards methodological pluralism:

> Rather one must remain open to different methodological stand points (participant vs. observer), different theoretical objectives (interpretive explication

> and conceptual analysis vs. description and empirical explanation), the perspectives of different roles (judge, politician, legislator, client, and citizen), and different pragmatic attitudes of research (hermeneutical, critical, analytical, etc.). (Habermas in Pedersen, 2008: 465)

The reconstructive "method" has – as I explain in the following – played an important role in my theory selection. Much of the focus of this thesis, particularly in relation to Habermas and Honneth, is to explain the under-investigated *recursive nature of the reconstructive method*. (For a general introduction to the method of reconstruction as it relates to the idea of locating transcendence within immanence in contemporary critical theory, see Strydom (2011: 136); see also Morrow and Brown (1994) for an overview of methods in regard to critical theory). Moving beyond these methodological considerations, the rest of this thesis deals with the similarly under-explored *recursive function* of formal pragmatics, recognition, social freedom and justification.

Choice of theory

Given the above-mentioned focus on radical internal critique, this thesis presents and analyzes a selection of existing normative critical theory. It does so by concentrating on Habermas' concept of formal pragmatics, Honneth's concepts of recognition and social freedom and Forst's concept of justification. By analyzing this body of existing literature, this thesis contributes with the novel theoretical insight that recursion should be seen as the primary property that makes critical normative concepts well-functioning. By well-functioning I mean that they are internally derived yet capable of being used for radical critique. But before proceeding with this discovery of the virtues of recursion for normative political theory, a few words are needed regarding why I have chosen these particular theories and concepts.

The relation between the three theorists I have chosen should be seen as complementary rather than competing. Importantly, there is more to this complementarity than the superficial fact that all spring from the rich tradition of the Frankfurt School of critical theory. As I will explain here, my interest in these theories stems from their appropriateness for an analysis of recursion in normative theory. This thesis can be said to be a recursive reading of Habermas, Honneth and Forst: I aim to locate recursion in their critical theories in order to apply it to itself. What makes this possible is the attention that these specific theoreticians pay to self-reflexively grappling with the question of the possibility of a critical

concept that validates its own standards. This kind of focus – which I think is a consequence of the Frankfurt School's attention to the question of normative foundations – makes these theories particularly suitable for an analysis of recursion in normative theory.

As will become clear, the idea of recursion captures the capacity of a system to amend itself and evolve by applying a copy of its own rules to itself. In other words, and perhaps stated a bit poetically, recursion refers to a stable description of a dynamic phenomenon. Recursion points to an unchanging constituent of a system that in its entirety nevertheless evolves. My choice of investigating formal pragmatics, recognition, social freedom and justification was initially made because of my intuition that these concepts, at their core and in similar ways, contain this peculiar quality. Before I had the idea of developing the notion of recursion to describe and generalize this – to me, at the time, quite enigmatic and elusive – element in the theories of Habermas, Honneth and Forst, I was initially drawn to the ideas therein of (re)constructing from the development of a society some seemingly universal normative logic; a logic that could not only explain the mechanisms of this development but also – because it is a description of a normative logic – be used to make judgements about it. And as if that was not enough, these kinds of logics in Habermas, Honneth and Forst also seemed to be able to withstand being self-reflexively turned on themselves and critically applied to their own mechanisms without completely dissolving into absurdity or nothingness.

Even as these theories are aware that our norms, values and even truths inevitably change over time, they claim to have access to a stable framework that could take such change into account. And importantly, they still claim to have normative relevance as frameworks that could be used to make evaluative judgments about norms, values and truths. From the beginning of my dissertation work it was this quality, and exactly how it works, that drew me to the normative theories of Habermas, Honneth and Forst. The way such frameworks function is not dissimilar to how our cognitive capacity for asking the question *why* works. Even when we discover that we can always keep on asking why something is the way it is regardless of how many explanations we are provided with, we still see the purpose and usefulness of why-questions. What I mean by this is that we can even start asking questions about why it is that we ask why-questions without abandoning our belief in the critical usefulness of asking such questions in the first place. In other words, we can explain and understand this cognitive capacity, turn it inwards and use it to pose questions about itself, without the original explanation thereby being considered null and void. The normative critiques we

are able to conduct with the theories of Habermas, Honneth and Forst promise to work in a similar manner in the normative realm.

The choice of the critical theories of Habermas, Honneth and Forst as the analytical focus of this thesis was motivated by the belief that these particular theories directly grapple with and address this question of critical self-application. And moreover, that they place a premium on it as the quality that ensures their critical potential for pointing beyond the status quo and the conventional norms, values and institutions of our time and place. In other words, they represent normative theories that celebrate the ever-present possibility of normative revolutions – including revolutions of their own underlying normativity. This is not a common feature of normative theories, as one could easily think it would lead to unstable, self-undermining and therefore rather unusable normative frameworks. If that were the case, such frameworks would scarcely be suited for informing us of what we ought to do, which after all is the raison d'être of any normative theory. Nevertheless, the theories explored in this thesis are chosen exactly according to that variable; a choice motivated by my curiosity of how all this critical self-application is supposed work and reinforced by my gradual discovery of the usefulness of these theories for honing in on and sharpening my argument regarding recursion as the most important property of well-functioning normative theories.

Further, I have chosen to focus on the concepts of formal pragmatics, recognition, social freedom and justifications because I take these concepts to be foundational to the normative theories of Habermas, Honneth and Forst, respectively. I could of course also have concentrated on the principle of universalization in Habermas, on the description of recognition in the modern marketplace in Honneth or on the analysis of dignity and human rights in Forst, etc. In that case, I would have been looking at how these theorists apply their concepts in concrete studies. But since my focus here is on understanding the mechanisms underlying the normativity of their theories, especially with regard to their self-reflexive qualities, I necessarily had to hone in on the location of these mechanisms instead. That is to say, I had to look at the foundation of these theories. What I mean is that rather than looking at the normative output of these theories (which 'oughts' they prescribe or principles they produce), I focus on the concepts that allow them to make such outputs in the first place. The contemporary Frankfurt School of critical theory, in which Habermas, Honneth and Forst are all said to be leading voices, is particularly preoccupied with the question of grounding critique and transparently accounting for such grounding. Generally, this makes this branch of critical theory especially fruitful for my scrutiny of the workings of foundational

critical concepts. And more specifically, given their prominence, impact and explicit focus on foundational critical concepts within this tradition of critical theory, Habermas, Honneth and Forst must be regarded as prime candidates for the focus of this thesis.

To borrow a phrase from Martin Jay's analysis of the late critical theory of Habermas, my choice of these theories and concepts rests on the assertion that they all utilize a "foundationless foundation as a normative vantage point for Critical Theory" (Jay, 2016: 123). The quote is taken from Jay's analysis of communicative reason in Habermas, which builds linguistically on formal pragmatics, though I believe many of the insights regarding the properties of Habermas' foundationalism in Jay's analysis also can be extended to the foundationalism in Honneth and Forst. To be clear, I am not arguing that Jay's analysis of communicative reason constitutes a one-to-one fit with recognition, social freedom and justification, but only that some of Jay's findings regarding reason as a foundation in Habermas illuminate aspects of what I believe to be a similar kind of groundless normative grounding in Honneth and Forst. Insofar as such a superficial extension is acceptable, I can use it here to further clarify why I take exactly these theories and their normative foundations to be particularly beneficial for this examination of recursion in normative critical concepts.

According to Jay, one of the ambitions of Habermas' project of reviving reason within critical theory as communicative reason was to build a normative foundation that would "avoid the Scylla of historicist contextualism and the Charybdis of ahistorical transcendentalism" (Jay, 2016: 122; see also 114–44). That is to say, a foundation that avoids the dual pitfalls of relying *either* on a pure contextualism that cannot transcend the historically given normative horizon *or* on a purely transcendental logic in the vein of Kant's *a priori* which totally lacks connection to the historical material. Instead, Habermas' foundationalism was to navigate – like a contemporary Odysseus – the strait between the two, relying on a historically situated and institutionally embodied reason that nevertheless maintains a (quasi-)transcendental potential as an invariant point of reference in the normative realm. Habermas achieves this feat by linguistically grounding reason in formal pragmatics as the above-mentioned foundationless foundation (Jay, 2016: 123; see also 125–8). Here, as I will elaborate later, the formal structure that underpins what it means to try and reach mutual understanding stands as a transcendent regulative idea that can be used for critique, whereas the concrete discursive content of attempts to reach mutual understanding remains hermeneutically tied to the historical immanent context. Habermas is thereby "situating [reason] concretely in the practices and institutions of the social world,

while acknowledging rationalization as a perpetually incomplete or 'impure' process rather than a fixed state of completion" (Jay, 2016: 123; see also 128–31).

I would argue that Honneth's concepts of recognition and social freedom, as well as Forst's concept of justification, are situated similarly: They must also be understood as inhabiting the concrete norms, practices and institutions of the social world. They are not purely theoretical constructs, but rather practical activities of identity formation, and discursive reason-giving and validation, respectively. And in the same way as with Habermas' communicative reason, they too must, as practical activities, be seen as always incomplete processes. Complete recognition, social freedom and justification are never permanently attained, as new identity struggles and new demands for justification always follow from momentary and local discursive settlements. Understood as practical activities, striving for mutual understanding in formal pragmatics, struggles for recognition and social freedom and demands for justification must all be understood as activities that strive to mirror the ideal of their completion, but on the whole never quite get there.

In this sense, my chosen normative theories all share the trait of building such always incomplete and in flux practical activity right into their foundations. This kind of foundational dynamism makes them especially salient theories for this thesis' exploration of the recursive property of something which evolves by applying its own rules to itself. Indeed, as we will see, in Honneth, an identity struggle is theorized as only possible as a capacity of other identity struggles. In Forst, the right to demand and receive justification is inherent to and perpetually springs from the idea of justification itself. And in Habermas, formal pragmatics describes how trying to reach mutual understanding in some concrete setting always implicitly happens with reference to the general idea of mutual understanding as such.

Following closely from this practical incompleteness as part of the foundation for communicative reason, Jay also describes how Habermas places reason within ongoing time as an "infinite project: jettisoning a strongly anamnetic notion of reason recoverable from the past in favor of one that sees it as a regulative ideal to be ever more closely approximated, but never fully realized in the future" (Jay, 2016: 123; see also 137–8). Here, communicative reason does not simply refer to a backwards-looking activity of uncovering a kind of rationality thought to already exist.[2] Rather, it is a forward-looking regulative idea that sets out something to strive for whilst being fully aware that this goal can never be altogether reached.

[2] For a critique of this interpretation, see Allen (2016).

This forward-looking dimension to communicative rationality adds to the foundation of Habermas an extra layer of incompleteness, supplementing that already stemming from the imperfections of practical activity. And further, in order to derive such forward-looking regulative ideals, Habermas is methodologically "[e]mploying a 'rational reconstruction' of a species-wide learning process as a standard by which to measure the potential realization of that future, without reviving a discredited objective philosophy of history" (Jay, 2016: 123; see also 138–44).

This second temporal layer of incompleteness as part of their normative foundations also informed my choice of these theories. I believe Honneth's concept of recognition, as well as Forst's concept of justification, when understood as regulative ideals, must also be seen as forward-looking in the same way. As we will see, recognition in Honneth contains a normative surplus that ensures a spill-over from any current normative horizon of identity towards future struggles for new identities. And indeed, as a regulative ideal, recognition inherently contains the evaluative standards of inclusion and individuality that we can use to criticize and assess the progressive or reactionary quality of norms, institutions and practices. In Honneth, I argue that the Hegelian idea of recognition as a complete relation-to-self does not refer back to some authentic self already in existence and waiting to be uncovered, but rather towards an accommodation of new identities claiming equal worth to those already in existence. With the concept of justification in Forst, as we will also see, the idea of having a right to have those norms, values and institutions that affect you adequately justified, equally implies an infinite process. That is to say, the concept of justification does not point towards an achievable end-state with a perfect equilibrium of reasons demanded and satisfactorily given. Instead, justification points towards the always present right to call into question the justifiability of a social arrangement.

An important part of my proposal – that recursion is key to well-functioning critical concepts – is that it explains how these kinds of forward-looking regulative ideals work. Due to the way in which recursive systems continuously and potentially indefinitely incorporate their own output, my claim is that the idea of recursion offers the simplest possible explanation of how such forward-looking incompleteness in regulative ideals functions concretely. In order to make this argument, my analyzed theory has to display a forward-looking normative open-endedness, which is another reason why I chose to analyze formal pragmatics, recognition, social freedom and justification. With regard to the critical theory of Habermas and Honneth, this thesis also examines the recursiveness of normative reconstruction, pointing to the interesting interplay between past and future. In

these theories, regulative ideals are derived from the historical material and their full realization is hypothetically anticipated and brought back to bear on the present. This reconstructive process, I argue, must also be understood as recursive, and so the methodological use of normative reconstruction also informed my theory choice.

Finally, I have chosen my theory because it operates with a notion of a universal basis for critique. In typical Frankfurt School parlance, this is seen through the rare idea of being able to locate and access transcendence from analysis of the immanent. That is to say, it is the ability to find invariant points of reference for normative critique from contextual analysis. Universalism of this kind is shared by Habermas, Honneth and Forst. As Jay puts it in regard to Habermas' communicative reason: "Reason is, in this sense, both immanent (not to be found outside concrete language games and institutions) and transcendent (a regulative idea that we use to criticize the conduct of all activities and institutions)" (Habermas quoted in Jay, 2016: 136). This quote can very easily be reworked to motivate my theory selection: I have chosen the concepts of formal pragmatics, recognition, social freedom and justification because they are all immanent (not to be found outside concrete practical activities) and transcendent (regulative ideas that we use to criticize the conduct of all activities and institutions). As mentioned above, I believe in the importance of universalism in regard to normative critique as long as it can be applied to competing conceptions of the good without us running the risk of arbitrarily imposing one contextual point of view on others. With this thesis I aim to show how it is possible to find such invariant points of reference for critique by isolating their recursive properties. Recursion, I argue, allows for immanently locating fixed (invariant or transcendent) regulative ideals that are still flexible, due to their forward-looking incompleteness. Such recursive ideals thereby mitigate the dangers of self-congratulatory arbitrariness often associated with the idea of normative universalism.

It is of course clear that any choice implies the neglect of something else. I have chosen to look at Habermas, Honneth and Forst for the reasons stated above. These theories have arguably been the most impactful export from Frankfurt to critical theory in general. Presumably, basing my argument for the importance of recursion on these theories will therefore hold all the more weight. *But that is not to say that recursion could not be located in other and perhaps less well-established critical theories* – provided that they grapple with the question of self-validating standards in a similar manner. Indeed, it is my hope that this thesis can inspire further investigations into normative recursion outside the present theoretical scope.

Analytical reading of theory

It should also be noted that I employ an analytical reading of the chosen text material rather than a genealogical, historical or purely conceptual one. By analytical reading, I mean an "argument-based and issue-oriented, rather than thinker-based and exegetical, approach that emphasizes logical rigour, terminological precision, and clear exposition" (List and Valentini, 2016: 1). That is to say, my aim is to analyze these theories on the basis of their foundational principles and assumptions. The aim is therefore not to place them in the context of the history of political theory as expressions of certain ideational movements, trends or schools of thought. Nor is it to perform purely conceptual analysis with its focus on definitional clarity, domains of application or conceptual intention/extension. With the analytical approach, I rather aim to analyze the ideas, principles and assumptions of the chosen theories on their own merits without the possibility of refuge to the critical distance provided by historicity or measures of conceptual clarity, etc.[3] I am in that sense reading the theories from within their arguments rather than from a privileged position outside them.

This is potentially a dangerous strategy: With such an analytical reading I risk accepting the premises of the theories wholesale, their framing of what counts as worthwhile problems and the types of questions they pose – thereby not seeing these theories as iterations of particular currents in the history of ideas. But it is also a rewarding strategy: With this approach I gain the chance to engage directly with the problems of normative theory I set out to investigate. That is, I am rewarded the possibility of engaging directly with the content of my chosen prescriptive theories: figuring out what is special about grounding regulative ideals in formal pragmatics, recognition and social freedom, and justification. Thus, it is clear that the primary focus in this thesis is essentially a meta-ethical one concerned with the conditions, mechanisms and foundations for making certain types of normative evaluations. In other words, to explore how recursively grounded regulative ideals function.

[3] As List and Valentini explain, the analytical approach to assessing theory often either uses internal criteria such as consistency, deductive closure, axiomatizability and/or parsimony, or uses external criteria such as taking intuitive judgments as strict evidence, finding reflexive equilibrium, using thought experiments and intuition pumps and/or attempting to weigh the potential for application (List and Valentini, 2016: 14–19).

Critiques of the material

As my description of the analytical reading implies, this thesis generally relies on providing a more 'positive' reading, rather than a biting criticism, where the theories discussed are used as vessels for an investigation into the mechanisms of recursion in the normative realm. Simply put, I believe this approach is where I can make a new contribution to critical theory, since the field is anything but short of such criticisms. I am also of the opinion that it is possible to use the chosen theories to draw conclusions about normative recursion that can stand independently of whether or not we buy into the entire theoretical legacy of Habermas, Honneth and Forst. That is to say, I believe I can make valid statements about normative recursion by specifically exploring the linguistic explanation of formal pragmatics, the subjectivity of recognition and social freedom and the justificatory power of reasons, without also aiming for a critique of the contemporary Frankfurt School. That being said, as Habermas, Honneth and Forst are arguably some of the most prominent and influential contemporary critical theorists, their work has garnered substantial critique. Even if my methodological contribution lies somewhat outside the scope of many of these well-rehearsed debates, it is still worthwhile to alert the reader to just some of the most critical interventions and objections to the projects of Habermas, Honneth and Forst.

Regarding Habermas, the scope of critiques is truly daunting. I will here just focus on some of the main objections to his collected theoretical oeuvre with relevance for the thesis and contemporary debates. These include his reliance on a notion of progress, historical learning and social evolution; charges of ethnocentrism; blindness to the impact of colonialism on modernity; and a general dismissive attitude towards post-structuralist critiques of his universalism and linguistic assumptions.

As Amy Allen notes, Habermas keeps in place the most controversial core of traditional philosophy of history, even as he rids it of its metaphysical assumption of objectivity, by positing that "the idea of historical progress itself and the assumption that European modernity can and should be understood as the result of a process of progressive historical development" (Allen, 2016: 49). According to Allen, this move "open[s] him up to the frequently leveled charge of Eurocentrism" (Allen, 2016: 49). In Allen's critique, following Thomas McCarthy, this problem persists in *The Theory of Communicative Action*, where through a telos of language, Habermas "[is] implicitly working with 'a conception of the end point of history of reason' that privileges a Western point of view"

(Allen, 2016: 52). Enrique Dussel makes a similar charge of Eurocentrism based on what he perceives as Habermas' provincial view of modernity, which only uses "intra-European phenomena as the starting point of modernity and explains its later development without making recourse to anything outside of Europe" (Dussel, 2000: 569–70). On Dussel's view, such a limited starting point fosters a "myth of modernity" in Habermas that places the rest of the world in the periphery of Europe's modernization process (Dussel, 1993: 65–6).

From a post-structural perspective, Gerard Delanty similarly finds Habermas' reliance on abstract universal communicative competences to be an expression of ethnocentrism: "In essence, the problem is not the theory's Eurocentrism on the level of values but its reflection of an ethnocentric approach to cultural differences and its appeal to the universality of modernity" (Delanty, 1997: 56). Here, it is the lack of attention to the power-structures and contextual differences across cultures that follows from such an abstract universalism which leads to the ethnocentric problem. Also from the point of view of post-structuralism, charges of what Allen calls a "tendentious reading of poststructuralist and psychoanalytic thinkers" have been leveled at Habermas. Such readings, the critique goes, allow Habermas to escape engagement with genuinely different conceptions of power, subjectivity, rationality and truth (Allen, 2016: 67; d'Entrèves, 1997: 1). Maurizio Passarin d'Entrèves and Seyla Benhabib's critical anthology, *Habermas and the Unfinished Project of Enlightenment*, contains a collection of such critiques of Habermas' reading of post-structural thinkers and their objections to his project (d'Entrèves et al., 1997).

Turning to Honneth, some of the main critiques of his work center around a perceived lack of attention to power; the shift away from redistribution; his use of progress and the idea of teleology; Eurocentrism; and inherent Western conservatism related to his later focus on freedom.

Thus, concerning the absence of grappling with the question of power, this line of critique sees power as potentially distorting the relations of recognition such that struggles for recognition risk reproducing the ideology of a certain power structure rather than representing a proper ethical conception of the good on the part of the subject: "Here, a serious issue for Honneth's project is how he is to ground a way of distinguishing between ethical and ideological forms of recognition without begging the question by simply assuming that struggles for recognition represent moral learning processes" (van den Brink et al., 2007: 21). Along a similar vein, Allen has critiqued Honneth for operating with a power-free normative lifeworld that neglects to see the "entanglement of reasons and normativity with power relations" (Allen, 2016: 107).

Further, by assigning moral and normative content to many of society's foundational institutions, Honneth has been criticized for reifying the arbitrary and hidden power relations therein: "He has been criticized for taking a stance that is naïve or even affirmative with regard to structural injustices as inscribed in bourgeois marriage and hidden forms of sexism, ethno-centrism, and even economic exploitation as inscribed in the institutions and social patterns of expectation and normative evaluation characteristic of Western democracies" (van den Brink et al., 2007: 21). An example of this kind of critique can be seen in Iris Marion Young, who believes Honneth's tripart model of recognition both reproduces the ideology "of the modern bourgeois conception of conjugal love […] and fails to account for stubborn gender divisions of labor" (Young, 2007: 193). Along similar lines, Beate Rössler suggests that Honneth's model of recognition in the labor market reproduces a view that neglects the recognition-worthy value of family and care work (Rössler, 2007: 136). Judith Butler and Paddy McQueen's critiques of recognition and subject formation also relate to Honneth's lack of attention to power and domination. As Dagmar Willhelm summarizes, here the point is that "the act of recognition [is] always also an act of subjugation and that recognition is thus always complicit in domination" (Willhelm, 2019: 197). This critique takes aim at the idea of using idealized and dominance-free relations of recognition as an emancipatory model without paying attention to the domination of its reverse side.

The influential political-philosophical exchange between Nancy Fraser and Honneth has been another major source of critique (Fraser et al., 2003). In this exchange Fraser critiques the move of critical theory from redistribution to recognition. Fraser summarizes her misgivings about this development with reference to three political tendencies that threaten the wisdom of this program. First, Fraser speaks of the problem of reification of group identities. That is to say, the problem that many struggles for recognition – rather than expanding the spectrum of possible recognizable identities – actually reaffirms the already existing ones. This, Fraser argues, leads to "separatism," "group enclaves," "chauvinism," "intolerance," "patriarchalism" and "authoritarianism" (Fraser, 2003: 92). Second, Fraser sees the turn to struggles for recognition rather than struggles for material equality as a problem of displacement. On Fraser's account, many struggles for recognition do nothing to contribute to the struggle for more just (equal) material conditions, since they divert the focus from redistribution of wealth, etc., to various group-identity grievances. This is especially troublesome for Fraser in a time of hyper-accelerated and deregulated global capitalism (which exacerbates material inequality) (Fraser, 2003: 92). Third, Fraser argues that many struggles for recognition actually suffer from the problem of misframing. That is

to say, in a time of globalization and border-crossing political problems, struggles for recognition tend to be articulated within the framework of the old-fashioned nation-state. In other words, since many demands for recognition tend to be formulated along the lines of nation-state or ethnic divisions, we lose sight of the fact that many current injustices can only be addressed on a regional or even global scale (Fraser, 2003: 92–3).

Another line of critique levelled against Honneth concerns his reliance on progress and teleology. Here, Christopher Zurn problematizes the "putative universalism of self-realization as a uniquely privileged normative telos" in Honneth and questions how Honneth can defend it against charges that it either belongs to the context of a specific Western tradition of thought or merely reflects arbitrary historical power structures (Zurn, 2000: 119). An example of this kind of critique can also be found in Allen. With the legalization of gay marriage as a case in point, Allen sees in Honneth a "backwards-looking conception of historical progress" that potentially implicates him "in a culturally imperialistic logic according to which our support for gay marriage is evidence of our superiority over those 'backward' forms of ethical life that don't recognize or tolerate gay marriage" (Allen, 2016: 102–3). Also critiquing Honneth's use of teleology, Lois McNay finds that this approach "tends to depoliticize the process of emancipatory social change by construing it in terms of impersonal mechanisms and developmental tendencies rather than as open-ended, often polemical and deeply contested forms of political struggle" (McNay, 2015: 176). Here, the worry is that with its rigidity teleology forecloses our capacity for identifying the messy and often surprising forms that real-life political struggles take.

Closely related to this kind of critique is the charge that Honneth's later focus on social freedom constitutes an endorsement of society's central institutions to such a degree that it can be seen as an "apparently Eurocentric account of inevitable progress toward increasing freedom" (Zurn, 2015: 194). Indeed, Jörg Schaub has argued that the method of normative reconstruction in Honneth's work on freedom is so inherently conservative and mired in Western institutions that it cannot inform a radical critique thereof (Schaub, 2015). Similarly, Fabian Freyenhagen finds that Honneth's idea of relating social pathologies and misdevelopments in his later work to a notion of ideal progress leads to a toothless reformism rather than proper emancipatory critique (Freyenhagen, 2015). Finally, David N. McNeill points to a similar problem when he claims that Honneth does not sufficiently account for why it is that exactly "our" modern Western or European institutions happen to embody the raw material of justice? Here, Honneth needs – but fails – to deliver a "robust argument for the substantial

coincidence of the normative foundations of contemporary social institutions with the demands of justice" (McNeill, 2015: 158).

In relation to Forst, critics have focused on his use of practical reason as a kind of 'neutral' ground; the lack of emotions in this scheme; the democratic boundary problem; entry-barriers to participation in justificatory practices; as well as the problem of justification as an abstract formal concept incapable of informing real agents in actual political struggles.

Thus, Kevin Olson has criticized the plausibility of Forst's idea of a right to justification for relying on the possibility that practical discourse among subjects takes place on equal footing. As Olson points out, the practice of "reason-giving may well be a class specific political practice that favours elite groups over others" (Olson, 2014: 88). With this critique, Olson draws attention to the fact that a class of knowledge experts in society, such as writers, consultants, politicians or academics, will have an upper hand in practical discourse, since "[g]iving reasons is one of their primary aptitudes and most sharply honed skills" (Olson, 2014: 97). Andrea Sangiovanni also problematizes Forst's central notion of practical discourse, albeit from a different perspective. For Sangiovanni, the content of morality is not sufficiently captured by the idea of human beings as communicating, justifying and deliberating beings. What is lacking in this picture of morality is the importance of emotions. As Sangiovanni explains, "[m]orality comes into being and applies to us in virtue of the fact that we are also *social* beings whose interactions is shaped by a characteristic range of emotions and dispositions, the most important of which is empathy" (Sangiovanni, 2014: 47). On this picture, 'cold' justifications based purely on the capacity of being able to give reasons cannot be said to have moral character unless they are 'warmed' by the addition of sincerely felt empathy (otherwise a psychopath's manipulative justifications would count as moral, which, according to Sangiovanni, cannot be right) (Sangiovanni, 2014: 53).

From the point of view of democratic theory, Eva Erman has criticized Forst's theory of a right to justification for not being able to satisfactorily address the boundary problem of democratic rule. That is, how we are to determine who counts as members of a self-governing collective. From this perspective, the fact that Forst's right to justification is extended to all those relevantly affected by some social institution does not meet the demand of a minimal requirement for the basic conditions of democracy, because it says nothing about "collective decision-making, which is dependent on a condition of *political bindingness* in order for authorization to take place" (Erman, 2014: 141). In other words, there is no clear

path from the right to justification – a right to be given good reasons – to a determination of who gets to participate in collectively binding decisions.

John Christman takes this sort of critique a step further and problematizes the conditions that practically determine who gets to participate in practical justificatory discourses in the first place. Christman thus asks "how idealized [is] […] the picture of agents participating in these practices of justification?" (Christman, 2019: 50). Here, it is Christman's contention that it is indeed too idealized compared to the non-ideal circumstances of the real world, where social and political arrangements are ripe with power, suppression, intimidation and domination. Under these non-ideal circumstances, subjects will lose faith in the legitimacy of the social political institutions that act as mediums for discursive practices of justification. For "agents who live in social landscapes marked by radical inequalities of power," notes Christman, "social trust is so often lacking" (Christman, 2019: 53). Cathrine Lu aims a similar critique at Forst by positing that existing orders of justification and their established public discursive practices are likely to be experienced as intimidating or even alienating by marginalized people such as indigenous or formerly colonized subjects (Lu, 2019: 90).

Similarly, Melissa Yates raises a concern about the boundary of membership to the contexts of justificatory practices and wonders whether Forst's model is too conservative and closed off to new members. Yates thus asks if "Forst's account of argumentation according to the right to justification can sufficiently 'make space' for the inclusion of new, unfamiliar, foreign, evolving members" (Yates, 2019: 109). Here, Yates fears that the kind of deliberative democracy that is implied by Forst's justificatory practices presupposes a familiarity and self-knowledge on the part of the subjects that effectively closes off these practices to newcomers (Yates, 2019: 121–2).

Finally, Allen raises the specter of abstract formalism in regard to Forst's concept of justification as a workable basis for a regulative ideal. As Allen explains, it is a somewhat standard critique of proceduralist conceptions of normativity, such as Forst's, that they "are overly abstract and as such too divorced from the concrete contexts in which actual agents debate and discuss normative questions and concerns to be of much use for thinking about politics" (Allen, 2016: 132). For Allen, Forst's attempt at combining a commitment to contextualism with a neo-Kantian insistence on political and moral universalism does not quite work out. As Allen explains, Forst's general idea is to let concrete validity claims be filled out in concrete contexts such that the theory of justification never ventures into abstract formalism and loses its connection to concrete contexts:

> Forst's contextualist universalism consists in a nested hierarchy of normative contexts. Validity claims are situated within specific contexts of justification – ethical validity claims must be justified to members of ethical communities with shared conceptions of the good, legal validity claims to members of political communities, and moral claims to moral persons – but one claim overrides the rest and provides the moral threshold of reciprocal and general justification that the other contexts cannot breach. This is the 'context' of 'the unlimited community of all moral persons'. (Allen, 2016: 135)

The problem with this 'contextual universalism,' according to Allen, is that the overarching context of morality really cannot be said to be a context at all, as in the end it breaks down into a "conception of practical reason that is clearly not understood in contextualist terms" (Allen, 2016: 135). As a consequence thereof, the 'context' of morality is therefore not a context in any practical sense, but rather a free-standing conception of practical reason that is open to charges of abstract formalism, since it is incapable of informing agents in concrete debates.

So, where does all this critique leave us with regard to the present purpose of exploring normative recursion through Habermas, Honneth and Forst? Chapter One presents a more general-level – rather than author-specific – discussion of divisions regarding how to do normative political theorizing. Many of the criticisms presented above maps onto this discussion. Here, the focus is on foundationalism and anti-foundationalism, utopianism and realism; as well as issues born out of Rawls' ideal versus non-ideal distinction, such as fact-sensitivity in theorizing, the capacity of theory being action-guiding and allowing feasibility constraints to inform the construction of normative ideals. The critiques that point to a lack of dealing explicitly with the concept of power and boundary problem do, however, fall outside of the methodological scope of this thesis.

The charges of ethnocentrism and Eurocentrism tie into the general debate on foundationalism versus anti-foundationalism. Here, the foundationalist viewpoint maintains the possibility of locating 'unconditional' grounds for normative theory in a way that escapes these charges. The idea is that it is possible to reach a universal core of normativity that transcends the reference-frame of the culture or value horizon in which it was articulated. Conversely, the anti-foundationalist stance argues that normative ideals are necessarily firmly tied to a particular value-horizon. Here, normativity is conditioned by specific social practices and language. As we will see, the idea of reconstructing a recursive grounding in normative theory goes some way to straddling this divide. A recursive grounding is indeed based on the social practices of a particular context, but locates in them a normative surplus whose structure is formal enough to work

as an unconditional ground from which critique can recursively be brought back to more and evolving contexts. Here, the idea of linguistic competences in Habermas, the idea of a need for a complete relation-to-self in Honneth and the idea of human beings as justificatory beings in Forst must all be seen as attempts of starting with a sufficiently universal practice for such a recursive scheme.

The critique of employing a concept of progress and teleology also maps onto the foundationalism versus anti-foundationalism discussion. As a basis for discussing this kind of critique, Chapter One presents Maeve Cook's idea of grounding normative theory between objectivism and contextualism. For Cook, evaluative standards must both be objective in the sense of being non-arbitrary and universal, and contextual in the sense of acknowledging the influence of contingent history on human interpretation and evaluation. Cook points to rooting normative theory in a dialogical social learning process as a solution. This thesis finds in the rational and normative reconstructive methods of Habermas and Honneth, respectively, a recursive use of progress and teleology that navigates such a path between objectivism and contextualism, and asserts that their reconstructive methods must be understood as recursive in that they draw on the norms, institutions and practices of the present, extrapolate their historical trajectory as instances of progress, hypothetically anticipate their full realization as a telos and finally bring this idealization back to the presents as an evaluative yardstick. This kind of recursive reconstruction, I argue, qualifies as an instance of Cook's dialogical social learning, since it avoids ahistoricism, determinism and ethnocentrism.

The kind of critique that focuses on the level of abstraction of regulative ideals in regard to the concrete practices of our non-ideal world maps onto the discussion of utopian versus realist normative theory. Here, the utopian stance refers to an argument that maintains that normative principles cannot in the end be grounded in facts and must have a free-standing basis. Inversely, the realist stance refers to the argument that political principles are always grounded in the fact of the political itself, since politics by nature deals with establishing order through some level of coercion that can be legitimized. In this case, the idea of a free-standing principle amounts to an unhealthy attempt to place political moralism over and above the reality of politics. The thesis asserts that recursive critical concepts dissolve some of this tension by extrapolating a formal scheme of critique from the reality of political practices in need of legitimization (or critique). The formal character of these concepts resembles the property of a free-standing principle, since they can, recursively, be brought back to bear on changing contextual facts.

But importantly, they still meet the realist demand of being extrapolated from factual historical deposits.

The kind of critique that, broadly speaking, questions the applicability of the regulative ideals extrapolated from formal pragmatics, recognition, social freedom and justification, maps onto the discussions in Chapter One concerning fact-sensitivity in theorizing, the capacity of theory being action-guiding and allowing feasibility constraints to inform the construction of normative ideals. These dimensions have in large part been spawned by the ideal versus non-ideal distinction in Rawls. The essence of these debates lies in the degree to which a normative ideal must reflect the reality which it is supposed to inform, which consequentially has bearing on its applicability to that same reality. The property of normative recursion does not settle this debate. It does, however, present the solution that the interpretation of the substantive content of a recursive normative ideal must always take place within a context. This is a solution in that it preserves a close connection between the substantive normative content of an ideal and the concrete practices it informs. It is, however, still clear that the formal character of such a recursive ideal remains highly abstract, since that is the only manner in which it can recursively apply to different contexts.

Structure of the thesis and how its parts relate

Chapter One presents what I consider to be the most important dividing lines in the academic discussions on how normative political theory should be construed today. These divisions are presented because I believe they can be, if not resolved, then reframed in important ways when we understand normative recursion as a normative foundation: as recursive grounding. These divisions are returned to in the conclusion, where I show how my analysis of formal pragmatics, recognition, social freedom and justification allows for a reconciliatory stance between objectivism and contextualism, between foundationalism and anti-foundationalism and between realism and utopianism in normative theorizing. In this way, normative recursion is shown to contribute to the literature on normative political theorizing.

Chapter Two presents the concept of recursion and explores its properties by looking at examples of recursion used in a variety of other disciplines. The chapter draws out three main properties of recursion from this cross-disciplinary exploration: self-reference, self-embedding and a capacity for producing multiple outputs from a single rule. The chapter also introduces the idea of recursive

transition networks as suitable for illustrating the dynamics of formal pragmatics, recognition and justification when understood as processes. These recursive transition networks – and the three main properties of recursion – are used in the subsequent chapters as a means to analyze the recursive properties of formal pragmatics, recognition and justification.

Introduction to Chapters Three and Four. As an intermezzo between, on the one hand, the debates on normative theorizing and my exploration of recursion, and my analysis of formal pragmatics, recognition, social freedom and justification as recursive normative concepts on the other, this introduction presents a model of how I also see recursion used in the reconstructive methods of Habermas and Honneth. This model shows a recursive relationship between past, present and future – and introduces a teleological use of progress in Habermas and Honneth. The model is used as an additional analytical frame in my subsequent analysis of recursion in Habermas and Honneth. It cannot, however, be extended to Forst, since his recursive reconstruction does not include a notion of progress as social learning.

Chapter Three is an analysis of Habermas' formal pragmatics as a recursive normative concept. The key recursive properties of self-reference, self-embedding and a capacity for producing multiple outputs from a single rule are used analytically to locate recursion. Further, formal pragmatics is analyzed as a recursive transition network in order to show the concrete mechanisms of normative recursion. Finally, the rational reconstructive method of Habermas is analyzed as being recursive, using the model of a recursive relationship between past, present and future.

Chapter Four is an analysis of Honneth's recognition and social freedom as recursive normative concepts. The key recursive properties of self-reference, self-embedding and a capacity for producing multiple outputs from a single rule are used analytically to locate recursion. Further, recognition is analyzed as a recursive transition network in order to show the concrete mechanisms of normative recursion. Finally, the normative reconstructive method of Honneth is analyzed as being recursive, using the model of a recursive relationship between past, present and future.

Chapter Five is an analysis of Forst's justification as a recursive normative concept. The key recursive properties of self-reference, self-embedding and a capacity for producing multiple outputs from a single rule are used analytically to locate recursion. Further, justification is analyzed as a recursive transition network in order to show the concrete mechanisms of normative recursion.

Chapter Six concludes by reintroducing the divisions in the literature on normative political theorizing and relates the analysis of formal pragmatics, recognition, social freedom and justification to these. I conclude on how a recursive grounding of normative concepts places these between objectivism and contextualism. I also conclude that it is the formal character of these recursive concepts – as found in my analysis in Chapters Three through Five – that makes them able to take up positions between foundationalism and anti-foundationalism and between realism and utopianism. Further, the conclusion also shows how the reconstruction of recursive normative concepts is both fact-sensitive and fact-insensitive and that these concepts display elements suitable for both transitional and end-state critiques. I also show that recursion in and of itself does not inform a capacity for action-guidance – but also that normative recursion establishes a connection between abstract formalism and social practice.

The conclusion also includes a section on how we are to deal with the element of circular reasoning in recursive normative concepts that can validate their own standards – proposing that such circularity is acceptable given the openness of their formal standards of critique.

Finally, I conclude on how normative recursion can make critical concepts suitable as the kind of fixed-yet-flexible normative standards I believe we need in order to do critical theory today.

Chapter One

Dividing lines in political theory – how to theorize about and ground normativity

This chapter will examine different approaches to normative theorizing in political theory. That is, broadly speaking, different approaches to how political theory can make claims about what societies ought to look like; which institutions, norms or practices it should have or promote or which actions or attitudes its members ought to take or have. Though the political theory or philosophical literature on this topic is often framed around theories of justice (which is after all often thought of as *the* normative question in a social or political context), this chapter is not confined to that topic. Instead, what is investigated here are debates on how to properly do normative theory in general, which includes theories that contain normative principles, values and prescriptions. The chapter will also examine the related question of how normative theories, principles, values or concepts are grounded: on what foundation they are or can be built.

With regard to the question of normative recursion and the focus of this thesis, I identify in order of importance three main dividing lines from this literature (I will return to their connection to normative recursion and reconstruction in the conclusion):

- *The division between normative foundationalism and anti-foundationalism*. This chapter presents this dividing line by comparing Richard Rorty's anti-foundational stance to McCarthy and Cook's defense of normative foundations. As I indicate in the end section of this chapter, the idea of a recursive grounding goes some way to bridging this gap. Recursive reconstruction shares with Rorty the ideas of deriving evaluative standards from social practices, that normative critique always will be transitional in character and that our access to morality epistemically proceeds through language and belief. But conversely, a recursive grounding of normativity still

upholds the possibility of finding a normative surplus of meaning in such contexts, idealizing it and using it as an unconditional or objective foundation.

- *The division between normative utopianism and realism*. This dividing line is presented through a comparison of G.A. Cohen's utopian idea of fact-insensitive principles and Bernard Williams' realistic idea of political principles and values as necessarily tied to concrete historical contexts and the conflictual logic of the political. With respect to its formal character, normative recursion shares with Cohen the idea that there is an open-endedness to normative principles such that they can never be completely tied down to corresponding facts. But equally, normative recursion also shares with Williams the idea that normative content in political theory must be reconstructed from that which already exists. Here, normative recursion resembles William's idea that, while we can construct a basic structure of some value, its substantive content must always be a function of actual history. Recursive concepts seem to point to a middle position between the utopian and realist stance through insisting that critical concepts can be formal, derived from historical deposits and open to substantiation within contexts.
- The division stemming from debates on the degree to which considerations about fact-sensitivity, action-guidance, transitional versus end-state critique and feasibility constraints should influence normative theorizing. The idea of finding transcendence in immanent analysis, typical for Frankfurt School theory, goes some way to reframing such debates. Here, normative recursion provides a possible explanation for how to justify the connection between non-ideal circumstances and abstract regulative ideals.

In order to examine these questions and trace the different dividing lines running through the field, this chapter begins with a presentation of John Rawls' methodological invention of splitting up normative theorizing into two parts, ideal and non-ideal theorizing, from which many of the subsequent divisions in contemporary debates can trace their roots. (**Section I**)

Through this lens, various positions on normative theorizing, such as utopianism, realism, end-state versus transitional theory as well as key concepts such as fact-sensitivity, action-guidance and feasibility constraints will be explored and contrasted. (**Section II**)

Moving beyond the ideal versus non-ideal perspective, this chapter will then examine and contrast the more general question of normative foundations. The chapter here contrasts Richards Rorty's realist stance on foundationalism with McCarthy's defense of normative unconditionality. I argue that Cooke's understanding of normative foundations between objectivism and contextualism intimates the proper way forward from this dividing line. (**Section III**)

Having completed this exercise, the chapter then points forward towards later chapters which contain an analysis of the reconstructive method of normative theorizing in Habermas, Honneth and Forst. I here indicate how the recursively reconstructive approach bridges or reconceives many of the divides that mark the field. In the subsequent chapters exploring the recursive reconstruction method, emphasis will be placed on the recursive properties of formal standards thusly derived. These recursive properties allow the reconstructive method to move beyond many of the divides shown in this chapter – a point I will return to in the conclusion. (**Section IV**)

I Rawls' distinction between ideal and non-ideal theory

When Rawls published his seminal work, *A Theory of Justice*, he not only reinvigorated the field of political theory but also introduced a new distinction in normative political theorizing – that between ideal and non-ideal theory (Rawls, 1999: 9). This distinction has proved to be an often-used resource not only as a theoretical-methodological tool but also as a dividing line between different and often competing approaches on how to properly theorize (Valentini, 2009, 2012; Farrelly, 2007; Hamlin & Stemplowska, 2012; Ismael, 2016; Simmons, 2010; Stemplowska, 2008; Robeyns, 2008; Swift, 2008; Philip, 2008; Herzog, 2012; Jubb, 2012; Hendrix, 2013). However, this distinction has of course also proved somewhat controversial insofar as the utility of this sharp division has been questioned. Nevertheless, given the considerable impact of the ideal versus non-ideal division on modern political theory, it seems only proper to explain and make use of this distinction for the purposes of framing this investigation into how to arrive at critical standards in political theory. As I will argue below in more detail, I believe the distinction between ideal and non-ideal theorizing is a useful analytical tool for pointing out different parts of the theorizing procedure – but also that it is a mistake to reify this division as a description of two wholly different 'schools' within political theory. On the contrary, this distinction should – as it

was Rawls' intention – be viewed as two inseparable components of any proper normative political theory that seeks to make determinations on how things ought to be in society and deliver guidance in the political realm.[4] This dissertation will show how it is not only possible but also desirable to do normative theory with critical ambitions in a way that integrates elements of both ideal and non-ideal theorizing.

So, what does Rawls mean with the distinction between ideal and non-ideal theory? As Rawls himself sums up this methodological device:

> The intuitive idea is to split the theory of justice into two parts. The first or ideal part assumes strict compliance and works out the principles that characterizes a well-ordered society under favorable circumstances. It develops the conception of a perfectly just basic structure and the corresponding duties and obligations of persons under the fixed constraints of human life. My main concern is with this part of the theory. Nonideal theory, the second part, is worked out after an ideal conception of justice has been chosen; only then do the parties ask which principles to adopt under less happy circumstances. This division of the theory has as I have indicated, two rather different subparts. One consists of the principles for governing adjustments to natural limitations and historical contingencies, and the other of principles for meeting injustice. (Rawls, 1999: 216)

Simply put, Rawls claims that ideal theory asks "what a perfectly just society would be like" (Rawls, 1999: 8). Non-ideal theory, conversely, asks what principles should guide us in circumstances comprised of less than 'perfect justice,' and so deals with questions such as "punishment, the doctrine of just war, and the justification of the various ways of opposing unjust regimes, ranging from civil disobedience and conscientious objection to militant resistance and revolution, [as well as] questions of compensatory justice and of weighing one form of institutional injustice against another" (Rawls, 1999:8). Ideal theory in the Rawlsian sense, then, consists in finding 'the nature and aims of a perfectly just society.'

In order to find this nature and these aims, Rawls famously limits his ideal theorizing to the basic structure of a well-ordered society. This ideal society is

[4] I would argue that Rawls did not quite follow through on this, ultimately doing ideal theory. At least this argument can be made. In other words, Rawls does not quite solve the puzzle. More precisely: if in Rawls first principles are derived from ideal theory, and non-ideal theorizing is only used for their application or translation, then it is not a proper mix. The counterargument is that with all the basic assumptions made by Rawls about the basic structure of society, his ideal position is actually informed by non-ideal theory.

closed off from other societies and its inhabitants are imagined to operate under 'strict compliance,' meaning that everyone "is presumed to act justly and to do his part in upholding just institutions" (Rawls, 1999: 7–8). This basic structure should broadly – before being more closely defined – be understood as the order that determines how rights and duties are assigned and social advantages divided (Rawls, 1999: 8–9). Rawls' main idea of this notion of ideal theory is that it delivers the only possible starting point for thinking systemically about the messy reality of an unjust society where people only partially comply and cannot be presumed to act justly nor to uphold society's just institutions: "The reason for beginning with ideal theory is that it provides, I believe, the only basis for the systemic grasp of these more pressing problems" (Rawls, 1999: 8). In other words, it is necessary to have an overarching ideal, one might say a transcendent ideal though Rawls himself undoubtedly would object to such language,[5] if one is to systematically make determinations about justice in the difficult circumstances of non-ideal reality. As Simmons puts it, "ideal theory dictates the objective, non-ideal theory dictates the route to that objective (from whatever imperfectly just conditions a society happens to occupy)" (Simmons, 2010: 12).

How exactly this movement from ideal theory to a consideration of justice under non-ideal circumstances is supposed to be carried out is somewhat vaguely described by Rawls. But importantly, it rests on our 'intuitions' about how much the non-ideal circumstances seem to deviate from ideal justice (Rawls, 1999: 216). Ideal justice, Rawls argues, retains its relevance because it is the only place from which such intuitions could possibly be derived in any systematic sense: "If we have a reasonably clear picture of what is just, our considered convictions of justice may fall more closely into line even though we cannot formulate precisely how this greater convergence comes about. Thus while the principles of justice belong to the theory of an ideal state of affairs, they are generally relevant" (Rawls, 1999: 216).

[5] At least, Rawls states in a reply to Habermas that his concept of justice is neither quasi-transcendental nor universal, but rather springs from the historical tradition of liberal political thought: "Justice as fairness is substantive, not in the sense I described (though it is that), but in the sense that it springs from and belongs to the tradition of liberal thought and the larger community of political culture of democratic societies. It fails then to be properly formal and truly universal, and thus to be part of the quasitranscendental presuppositions (as Habermas sometimes says) established by the theory of communicative action. […] Thus, I have tried to show that in the liberalism of justice as fairness, the modern liberties are not prepolitical and prior to all will formation" (Rawls, 2011: 90). Rawls is here replying to Habermas after having developed his notion of an overlapping consensus in *Political Liberalism* (Rawls, 1996: 144).

It should here be noted that Rawls makes a further distinction between a concept of justice and a conception of justice. As Rawls explains, he views a 'complete conception' of all the principles defining the virtues in the basic structure of society, together with some formula for weighing these principles when they conflict, as a social ideal. Such a complete social ideal, Rawls continues, is connected with a more general conception of society, meaning 'a vision' for how the goal of social cooperation is to be understood. It is such a vision (or competing visions) of what the aim or purpose of social cooperation ought to be that determine a conception of justice (or competing conceptions). In other words, the comprehensive notion of a social ideal is informed by some general vision of what constitutes the "natural necessities and opportunities of human life" in a society (Rawls, 1999: 9). In Rawls, the concept of justice refers to the distribution of rights, duties and social advantages. A conception of justice, then, refers to a reason behind such a concept. That is to say, a conception of justice is a part of a social ideal – and more generally a part of a conception of society – which has some aim of human life which a concept of justice with its distribution of rights, duties and social advantages should help to promote. As Rawls explains:

> I have distinguished the concept of justice as meaning a proper balance between competing claims from a conception of justice as a set of related principles for identifying the relevant considerations which determine this balance. I have also characterized justice as but one part of a social ideal […]. The concept of justice I take to be defined, then, by the role of its principles in assigning rights and duties and in defining the appropriate division of social advantages. A conception of justice is an interpretation of this role. (Rawls, 1999: 9)

I take Rawls' concept of justice to be an almost formal notion of distribution as such, since the exact outcome of this distribution will be decided by the exact formulation of the principles of justice – in this context, a distribution of rights, duties and social advantages. Further, I take Rawls' conception of justice to be the richer notion of a vision for human life. In other words, as tied to a social ideal which gives substance to the otherwise formal notion of justice as distribution by answering the question of what purpose justice has: what vision of human life it seeks to promote.

I think it is important to include Rawls' distinction between concept and conception here, since the notion of a *social ideal*, as well as the notion of a generalized conception of society understood as a *vision* for social cooperation, which is brought up in distinguishing between the two, must be thought of as separate from the 'ideal' in Rawls' ideal theorizing. Strictly speaking, as we saw

earlier, ideal theory simply refers to the hypothetical theorization of a situation where people act in full compliance with principles of justice and seek to uphold its institutions. It is an ideal state of affairs that informs us when we seek to make determinations about justice under non-ideal circumstances in which people only partially comply with whatever principles of justice they have come to agree on.

Yet, in Rawls' conception of justice we see a different notion of a social ideal, one that is tied to a general vision for the aim of society and informed by a view of what constitutes the 'natural necessities and opportunities of human life.' In other words, it is the conception of justice – with its social ideal and vision for human life – that delivers substance to the otherwise 'formal' ideal of justice. The point is that as a methodological tool for theorizing, Rawls' ideal theory refers simply to a situation of full compliance with *any* concept of justice informed by *any* conception of justice as it relates to *any* social vision. Of course Rawls goes on to develop his own specific and substantive notion of justice as fairness (the well-ordered society), with its related principles and their lexical ordering, as well as saying something about weighing these principles under non-ideal circumstances. That is to say, Rawls lets some conception of justice (a social ideal) work as the background for how to interpret the role of justice such that the purpose of justice becomes the creation of the well-ordered society. But in the first instance, before this conception of justice is at work, I take Rawls' concept of ideal theory to be a formal methodological one – a tool that could be used to work out any concept of justice from any conception of justice. To be clear, in Rawls the ideal concept of justice is a specific one tied to a specific conception of justice. But before Rawls works this concept of justice out in detail, ideal theorization remains a methodological tool consisting of the move of making a hypothetical anticipation of a state of affairs in which justice is at work in an unconstrained manner.

II Debates in political theory on ideal versus non-ideal theory

Having provided this brief sketch of how Rawls uses the ideal/non-ideal distinction in his theory of justice, we can now look at its reception in the subsequent and recent political theory literature. Here, debates about this Rawlsian invention are often framed along the lines of a discussion of how action-guiding normative political theory ought to be. In other words, how directly useful normative political theory should be for making prescriptions that apply directly to the political and social reality. In order to get at this important

question, I will initially make use of and closely follow Laura Valentini's (2012) conceptual map of the different positions in this debate, in order to provide an overview of the various dividing lines.

According to Valentini's 'conceptual cartography,' there are broadly speaking three different meanings given to the ideal/non-ideal distinction: first, it is interpreted along Rawls' initial intention as full versus partial compliance; second, as utopian versus realistic theory; and third, as end-state versus transitional theory. To these three meanings I will add different degrees of fact-sensitivity capability for action-guidance in normative theorizing as a fourth way of illuminating the ideal versus non-ideal divide. It is important to understand that all these different ways of understanding the ideal versus non-ideal terminology, while all referring to issues closely related to Rawls' original methodology, deal with distinct and separate issues. Finally, I will then discuss normative political theory from the question of foundations. Here, I will contrast Rorty's rejection of philosophical foundations with Cooke's description of social philosophy as having a foundation between contextualism and objectivism. I will not here expound much further on the full versus partial compliance take on what ideal and non-ideal theorization means. As shown in the above, this definition of ideal theory as theorization under the assumption of full compliance and favorable conditions, and non-ideal theory as theorization under the opposite circumstances, follows Rawls' initial intent in *A Theory of Justice*, as well as his subsequent work.

Utopian versus realistic theories

Turning instead to the second manner of understanding the division of normative theorization as an ideal and non-ideal part, this distinction can also be understood as a demarcation of utopian versus realistic theories, respectively. On this view, as Valentini explains, ideal and non-ideal theories correspond to a difference of opinion on what (if any) feasibility constraints should be included in the design of normative principles (Valentini, 2012: 656–660). In other words, a difference in opinion on whether or not the content of normative principles should take into account a consideration of whether or not they could feasibly be carried out. Valentini first makes the categorical distinction between 'fully utopian' theories and 'realistic' theories. The former refers to theories in which feasibility constraints are not granted any influence on the content of normative principles, since, on this view, what is right is right, or what is just is just, etc., regardless of whether or not it is possible to attain such concepts of rightness or justice. Conversely, the latter realistic theories do allow for the constraints of the actually

possible to influence the content of normative principles: roughly, that which is right or just is also feasible. Stated differently, *ought* implies *can*.

It should be noted that confusion can easily occur here, since proponents of both the utopian and the realistic approach have positioned themselves against Rawls, though for opposite reasons. From the utopian point of view, Rawls can be charged with allowing too many factual feasibility constraints to influence his concept of justice and its normative principles. Conversely, from a realist point of view, Rawls' ideal concept of justice does not adequately take into account the real-life feasibility constraints that underlie social cooperation and politics, since situations of full compliance and favorable conditions rarely if ever appear in real political circumstances (Valentini, 2012: 657).

G.A. Cohen's utopian stance

G.A. Cohen stands as the most prominent exponent for a fully utopian conception of justice, relying on, as Valentini explains, "strong metaphysical presuppositions about the existence of principles of justice valid across all possible worlds" (Valentini, 2012: 658). In Cohen's view, normative principles might sometimes rely on facts, but must ultimately always be grounded in other free-standing principles:

> A normative principle, here, is a general directive that tells agents what (they ought, or ought not) to do, and a fact is, or corresponds to, any truth, other than (if any principles are truths) a principle, of a kind that someone might reasonably think supports a principle. […] I argue that a principle can respond to (that is, be grounded in) a fact only because it is also a response to a more ultimate principle that is not a response to a fact: accordingly, if principles respond to facts, then the principles at the summit of our conviction are grounded in no facts whatsoever. (Cohen, 2008: 229)

For Cohen, then, it is entirely possible that some normative principles are grounded in facts such as knowledge about human nature or language (or whatever the case might be). But importantly, Cohen then further distinguishes between principles and claims that there must always be some such 'ultimate facts at the summit of our convictions' on which subsequent fact-supported principles ultimately rely. Cohen's view is the logical response to a sort of infinite regress where, unless ultimate free-standing principles are introduced, endless connections between principles and their corresponding facts could be pursued (Cohen, 2008: 237).

Cohen provides a helpful illustration of why it must be that all principles based on facts must ultimately be grounded in some ultimate or free-standing principle. Cohen asks us to suppose we have a principle (P1) which states that we must help people to pursue their projects. If we are then asked what grounds P1, we might throw in some factual claim (F) in support of our principle. This fact might be that people are only happy whenever they pursue their own projects. But here then is the rub: F only supports P1, Cohen claims, under the condition of a more ultimate principle, which states that all things being equal, peoples' happiness should be promoted (call it P2) (Cohen, 2008: 234–5). We see here that one can always ask for further explanations of support for principles that are grounded in facts. In the end, some ultimate principle such as P2 is needed in order to stop the chain of infinite regress. As Cohen says, "there is always an explanation why any ground grounds what it grounds" (Cohen 2008: 236). In other words, there must always be an explanation behind why any fact grounds a principle, and that explanation is in the end an ultimate free-standing principle not grounded in any facts. Only here does the sequence of asking for an explanation of why some facts ground some principles end. Note that Cohen does not say anything about the ultimate truth or rightness of any particular ultimate principles, only that they are needed. It is, in this sense, a purely formal claim pertaining to the field of meta-ethics.

Returning to the idea of utopian theories, we now see how Cohen exemplifies this position. On his view, the feasibility of any normative principles to be carried out in the light of 'the facts on the ground' clearly cannot be allowed to influence ultimate principles. Whereas we might come up with plenty of good and reasonable normative principles (P1s) that are grounded in facts (Fs), these other ultimate principles (P2s) that serve to deliver the final explanation for why any fact supports such fact-sensitive principles cannot be influenced by non-ideal fact-ridden circumstances. Cohen's ultimate normative principles are in this sense the product of an extreme version of ideal-theory theorization, in that feasibility is never a consideration that should influence the formulation of these principles. To be precise: feasibility constraints in the sense of non-ideal circumstances *could* by logical necessity not support ultimate principles, since a further explanation for why that particular non-ideal circumstance supports it would be needed and infinite regress would ensue.

Cohen's stance on normative theorizing can be summarized with the three premises supporting his thesis on the relationship between facts and normative principles, which, as we saw, states that "a principle can respond to (that is, be grounded in) a fact only because it is also a response to a more ultimate principle

that is not a response to a fact" (Cohen, 2008: 229). This thesis holds true if the 'self-understanding stipulation' is not violated, which states that we are talking about normative principles that are held by a given person who is clear about *what* she believes in and *why* she believes it (Cohen, 2008: 237). This self-understanding stipulation speaks to the core of what we can consider a normative principle. If a person is not clear about exactly what she ought to do, clearly that person does not hold a principled belief. Similarly, if a person is not clear on why she ought to do something, her actions might as well be guided by instinct, tradition or habit and not by principled beliefs. Thus, the three premises underlying the thesis on the (missing) relationship between facts and normative principles are:

"[W]henever a fact *F* confers support on a principle *P*, there is an explanation for why *F* supports *P*, an explanation of how, that is, *F* represents a reason to endorse *P*" (Cohen, 2008: 236). This premise simply states that, as we noted earlier, there must always be an explanation of why any 'ground grounds what it grounds.' This premise is defended by Cohen as a general claim which is 'self-evidently true' (Cohen, 2008: 236-9). It does indeed seem nothing if not reasonable that any claim of something grounding something else can and must be justified

1. "[T]he explanation whose existence is affirmed by the first premise invokes or implies a more ultimate principle, commitment to which would survive denial of *F*, a more ultimate principle that explains *why F* supports *P*, in the fashion illustrated above [first premise]" (Cohen, 2008: 236). This premise simply states that if we accept that a further explanation always can be demanded for why some fact supports a normative principle, then the presence of this *additional explanation of why* some fact grounds a principles is itself pointing to another ultimate ground. And further, that this ultimate ground stands even if the initial supporting fact is denied, since this ultimate grounding will itself be a fact-insensitive normative principle.

   It should be noted that Cohen is aware of the possible objection to the second premise, namely that normative principles could be supported by some procedural or meta-principle (such as Rawls' original position) rather than another fact-insensitive principle (Cohen, 2008: 239–41). But Cohen rejects this objection on the basis that even such a 'neutral' or procedural meta-principle must have a principle that justifies it, for instance that the meta-principle works because it "reflects the 'conception' of persons as free and equal" (Cohen, 2008: 241). In other words, even a seemingly 'neutral

principle producing machine' would rely on the normative principle that its neutrality is good since its neutrality respects the free and equal worth of people.[6]

Cohen defends this second premise by posing the challenge to anyone doubting its validity, namely to come up with an example of a fact that grounds a normative principle along with a credible and satisfying explanation for how this grounding *does not* imply or rely on any further grounding in an ultimate fact-insensitive principle. Simply put, whenever we encounter some normative principle that is seemingly grounded in a fact – e.g., we ought to pursue a well-ordered society (P1) because well-ordered societies produce the most wealth for people (F) – we simply ask someone with this held belief how such support from F to P1 does not rely on a further grounding in a free-standing ultimate normative principle (P2). This challenge leads to the third and last premise.

2. It will be impossible for anyone to come up with such an example, i.e., one that answers the challenge posed in defense of the second premise (Cohen, 2008: 237). That is to say, no one who is clear on what they believe (what normative principled belief they hold) and why they believe it (how that principled belief is grounded) will be able to explain how what they believe, even if that belief is initially grounded in a fact, is not ultimately grounded in a fact-insensitive normative principle. "Armed with these premises, we may ask anyone who affirms a principle on a basis of a fact what further and more ultimate principle explains why that fact grounds that principle and, once that more ultimate principle has been stated, whether it, in turn, is based on any fact, and so on, reiteratively, as many times as may be required, until she comes to rest with a principle that reflects no fact, unless the sequence of interrogation proceeds indefinitely" (Cohen, 2008: 237). It is here Cohen's point that no such indefinite interrogation could actually take place. First, because it is actually immensely difficult to construct such a sequence (try yourself, Cohen suggests, to go beyond a sequence of five fact-based principles supporting each other). Second, because it is hard to imagine

[6] It should also be noted that Cohen, besides this general rejection of such meta-principles as the grounding of normative principles, also presents the following specific rejection of the Rawlsian original position as a source for methodological grounding: "First: when the original position machine selects P in the light of a set of factual truths, that is because it would, so I claim, select a fact-free normative principle P1 when those factual truths are suspended: and it will not be possible for those who endorse the original position methodology and, therefore, the P that it selects in the light of the facts, to deny P1, or its justificatory role" (Cohen, 2008: 240).

that an infinite number of principles even exist. And third, because such an infinite sequence of fact-based principles supporting each other would violate the self-understanding stipulation, since if there is no end to the sequence the person holding the initial principled belief would not truly know why she believed it (would not know the final grounding of that belief).

With the example given above, someone might say that the principle of striving for a well-ordered society (P1) is grounded in the fact that such societies create wealth (F1). 'Why is that an explanation for why F1 supports P1?' we might then ask at the hand Cohen's challenge. 'Because of the principle that wealth creates happiness (P2), which is grounded in the fact that wealthy societies create more opportunities to pursue individual life-plans (F2),' they might reply. To which we then again would pose the challenge, 'Why does F2 support P2?' 'Because of the principle that happy people pursuing individual life-plans tend to create more secure societies (P3), which is grounded in that fact such people are less desperate (F3),' the person might reply, and so forth.

With regard to the ideal versus non-ideal distinction in normative theorizing, we can see above that Cohen falls firmly within the ideal theorizing camp. No matter how we define non-ideal circumstances (as less than full compliance or as less than favorable conditions) they clearly belong to the realm of facts in Cohen's schema. And as such, they cannot per definition serve as the final support for ultimate principles. These ultimate principles must instead be seen as perfectly ideal in that they are uncontaminated by factual considerations about compliance, feasibility or favorable conditions. However, one caveat about identifying Cohen's stance on normative theorizing as ideal-theoretical must be included: From Cohen's point of view, Rawls' concretely worked out ideal principles (basic liberties, the principle of fair equality of opportunity and the difference principle) fail to be ideal enough as to count as ultimate principles, since they are still supported by facts such as human psychology, political affairs, the principles of economy, etc.[7] But even if Rawls' own worked out principles fail to meet Cohen's criteria for fact-

[7] When working out the principles of justice behind the veil of ignorance, people will have access to a host of facts that can and should support their principles of justice: "It is taken for granted, however, that they know the general facts about human society. They understand political affairs and the principles of economic theory; they know the basis of social organization and the laws of human psychology. Indeed, the parties are presumed to know whatever general facts affect the choice of principles of justice" (Rawls, 1999: 119).

insensitivity, we can still use Rawls' methodological distinction to identify Cohen's ultimate principles as examples of pure ideal theory.

Realist theories

In contrast to such a utopian stance, Valentini, as mentioned, reserves the term *realist theories* for those theories that do indeed allow non-ideal circumstances such as feasibility constraints to influence their design of normative principles. The most notable theorist to be included in this camp is the 'political realist' Bernard Williams (Williams, 2005; also Geuss, 2008; for a good overview and discussion see Galston, 2016). Valentini also makes the comparative distinction between 'more or less realistic' theories. Here, the point is that realistic theories differ in what kind of feasibility constraints they allow to influence the content of normative principles. As Valentini explains, there seems to be a tradeoff within the realistic camp between more or less realism in formulating normative principles. On the one hand, allowing only a minimum of feasibility constraints to influence normative principles will make them useful yardsticks for 'grand' evaluations about the justice in society, as compared to a more ideal state of affairs. On the other hand, allowing more real-world constraints to influence the design of normative principles will make them much more useful as prescriptive tools for real-world moral dilemmas: "If we want a yardstick for measuring how much our society is failing compared to a fully ideal one, we need to make minimal factual assumptions, such as moderate scarcity, limited altruism, and perhaps reasonable disagreement. That is, we must not include unjust human conduct. If, on the other hand, we wish to design prescriptions that are likely to be effective, given some common flaws in human behavior, then we better factor in more real-world constraints" (Valentini, 2012: 660).

In other words, even within the realism camp, in which there is agreement on allowing non-ideal circumstances to influence the formulation of normative principles, a dilemma creeps in. With the inclusion of more non-ideal constraints in normative theorizing one tends to more easily end up with action-guiding principles. But conversely, the inclusion of such constraints comes at the price of making sweeping evaluations about the just nature of society, since it is possible that the very same injustices we would hope to uncover with our normative principles have been assumed into the formulation of our principles as given facts in the first place. It might, for instance, be taken for granted that humans are inherently greedy or incapable of cooperation, etc. A theory of justice taking those

constraints for granted would then go to work from there, so to speak, rather than criticizing those human traits.

For Valentini, this dilemma within realistic theories can be 'solved' if we accept that such more or less realistic theories actually seek to answer two different questions. More realistic theories pursue answers to questions about justice here and now (i.e., they seek to be as action-guiding as possible), whereas less realistic theories want to answer questions about how well societies fare against more "grand social ideals" (Valentini, 2012: 660). But the difference between fully utopian theories and less realistic theories, it should be noted, is not just a matter of degree. In the end, proponents of the less realistic take on normative theorizing do not allow for free-standing principles to ground their normative principles. Here, Cohen's position is rejected as a metaphysical position, and some minimal facts are still believed to be necessary in order to provide foundations for principles.

For Galston, it is the defining feature of realist theories in political theory that they reject what is seen as the 'high liberalism' tendency in political theory after Rawls to "evade, displace, or escape from politics" (Galston, 2010: 386). Realism on this view is a reaction to a peculiar tendency in political theory where all the 'normally' defining features of politics such as struggles, disagreements, conflicts, resistance, etc., are viewed as abnormalities to be overcome and replaced with agreement, consensus and a stable procedural neutralization of such destructive forces. In other words, these troublesome features are not viewed as part of the fabric of the political reality that political theory is meant to say something about, but rather as destructive social phenomena that should be theorized away, so to speak, with the right kind of normative principle. Galston, referencing Glen Newey, summarizes this tendency of evasion from the political in political theory: "The major project in modern liberalism is to use ethics to contain the political" (Galston, 2010: 386). The realist approach, conversely, regards exactly such phenomena as struggle and conflict as constitutive of that which we call politics, and seeks instead to make them front and center of political theory.

Bernard Williams' realist stance

It was the political philosopher Bernard Williams who coined the term *political realism* in order to come up with an approach to political theory that could stand in contrast to the tendency of placing "the priority of the moral over the political [such that] political theory is something like applied morality" (Williams, 2005: 2). According to Williams it is symptomatic of political moralism that it not only

places morality over the political, so that the correct way to act within the political realm should be determined from an 'external' moral point of view, but also that such an external morality is written into political theory itself as a grounding thereof. Williams' political realism, in contrast, insists on holding the political and political thought separate from morality:

> I shall call views that make the moral prior to the political, versions of 'political moralism' (PM). PM does not immediately imply much about the style in which political actors should think, but in fact it does tend to have the consequence that they should think, not only in moral terms, but in the moral terms that belong to the political theory itself. It will be familiar how, in various ways, PM can seek to ground liberalism. I shall try to contrast with PM an approach which gives a greater autonomy to distinctively political thought. This can be called, in relation to a certain tradition, 'political realism'. (Williams, 2005: 2–3)

It should be made clear from the outset that it is not the point of Williams' political realism that the political is somehow immoral and that political principles are therefore inherently incapable of structuring ethical conduct (Galston, 2010: 387). To be clear, political realists are perfectly capable of being and acting morally. It is, however, Williams' point that the central political values, for instance freedom, are distinctively *political* in the specific sense that disagreements about how such values (and by extension principles, I would add) should be constructed are political disagreements (Williams, 2005: 77). As Williams notes, in the case of freedom as a political value, this means that different societies will have different conceptions of what freedom is, just as there will be several such understandings of freedom within any one society. This shared quality is exactly what makes something like freedom a political value. The point is not that there is one correct way of defining freedom, for instance through the Western liberal tradition. Rather, it is the point – and what makes it political – that the same value is used and taken to mean different things by "those with whom we are in confrontation, discussion, negotiation, or competition, with whom we in general share the world" (Williams, 2005: 75).

For Williams, a value like freedom cannot be understood properly except in relation to those competing understandings with which we disagree. As a consequence, we should not try to define freedom, as this would be impossible, but rather construct freedom (Williams, 2005: 76). What Williams here means by 'construction' is that, whereas philosophy as such can provide "a core or skeleton or basic structure" of a value such as freedom, the matter of deciding what freedom has become or should be "must be a function of actual history"

(Williams, 2005: 75). In other words, the actual meat on the bones of whatever formal skeleton we might construct via philosophy must be provided by 'contingent historical deposits' (what we might in this context call the reality of realism or indeed non-ideal circumstances of the world as it is and not what it could be). It is through the context-specific unfolding of historical events, filled with confrontations, discussions, negotiations and competition, that the real content of freedom is to be constructed. And it is precisely for this reason that a value such as freedom is distinctively political rather than moral.

This understanding of political values as tied to such contingent historical deposits (the realism in political realism) leads Williams to four conclusions regarding the political and its distinctiveness *vis-à-vis* the moral. First, regarding philosophy, it is Williams' position that political philosophy should not be viewed as a special field of applied moral philosophy, nor as a type of legal philosophy. Rather, political philosophy should be seen as distinct from these and be concerned with political concepts "such as power, and its normative relative, legitimation" (Williams, 2005: 77).

Second, the political must be understood, Williams contends, as revolving around disagreement. But not only that – the political should also be understood as consisting of disagreements that are qualitatively different from moral disagreements. Where moral disagreements are defined by differences in the kind of reasoning that is brought to bear on a specific issue, political disagreement concerns some form of practical application "about what should be done under political authority, in particular through the deployment of state power" (Williams, 2005: 77).

We could with this understanding say that the famous trolley-problem[8] is a moral problem insofar as it is a problem posed between deontological and consequentialist reasons – but that it would turn into a political problem as soon as the discussion turns to standardized trolley break-strengths and safety regulations in trolley-rail constructions and overpasses. Importantly, political disagreements can involve moral considerations and differences in underlying reasoning, but they need not.

[8] A classic philosophical problem which in its most basic form poses the question whether it is morally acceptable to actively change some circumstance in which five people are killed and one survives, such that the five are saved and the one would die instead. The problem is often depicted via changing the track of a trolley, i.e., that it rolled over and killed one person rather than the five on its original track.

Third, political disagreement extends to and includes disagreement on how to properly interpret political values (and, again, principles) such as freedom, equality, justice, etc. Here, Williams posits, such interpretations will be based on different political traditions and understandings, tapping into different "historical deposits" (Williams, 2005: 77). Political disagreements over political concepts can therefore not be equated with the type of discussions where one legal-constitutional polity interpret a constitutional text. Rather, political disagreement must be understood as disagreements stemming from opponents who are reading different texts altogether (Williams, 2005: 77–8).

Fourth and finally, Williams claims that the political, understood in this way as having to do with political disagreement, must also be understood as comprised of political opponents with opposing views drawn from different historical deposits. Political disagreement is not the same as intellectual disagreement about the correct interpretation of a value or principle:

> We may for various reasons think that our opponents are, among other things, in intellectual error, but the relations of political opposition cannot simply be understood in terms of intellectual error. Our construction of freedom as a political value must make sense of the fact that disagreements involving that value are typically matters of political opposition, and that this carries substantial implications about the ways in which we should regard the disagreement, and regard our opponents themselves. (Williams, 2005: 78)

In other words, by stressing the connection between the political and these historical deposits, Williams is positing the political relationship between opponents as one that cannot simply be solved by some correct intellectual exercise, but rather as something more fundamental and tied to different and conflictual lived realities and historical reservoirs.

This realist view, then, leads Williams to conclude that Rawls was wrong in placing "justice as the first virtue of social institutions" (Rawls, 1999: 3). Instead, Williams sees order as the first question of politics, since, given the conflictual nature of the political, questions of "protection, safety, trust, and the conditions of cooperation" must be solved prior to any other problems (such as justice) being posed (Williams, 2005: 3). From these initial premises Williams draws out a basic demand for legitimation that is inherent to politics. This demand is inherent to politics because of the conflictual nature of politics and inherent to the nature of the state as the political institution that, given its unique capacity for coercive power, is meant to solve the first question of politics. What is important here is that this basic demand for legitimation does not stem from some moral idea, but

rather from the political reality itself, since people will want to have such coercive power justified to them. In other words, the world is a Hobbesian mess and only the state has the power to make it a livable place, i.e., to solve the first problem of politics in an acceptable way (Williams, 2005: 4). This means that the state is inherently tied to a task of securing order, which in turn means that the relationship between people and the state is inherently one defined by power. This then ultimately means that the normative side of power – legitimation – is inherent to the very nature of the political, since people will inherently want a justification of that power. Here, we truly see the realist point: The question of legitimacy simply springs from that which the political is and not from some external moral source or notion of individual autonomy and subsequent right to freedom as non-arbitrary power.

From the above it is clear why Williams belongs to the realist camp, since his normative concept of legitimacy is derived directly from some assumptions (or facts) about a non-ideal reality where politics is marked by conflict, power and coercion: "It is a human universal that some people coerce or try to coerce others, and nearly a universal that people live under an order in which some of the coercion is intelligible and acceptable" (Williams, 2005: 10). The key to this realist understanding is that the world is first taken 'as it is,' i.e., as non-ideal and filled with coercion, and then a normative idea such as acceptability or legitimation is derived directly from that non-ideal reality without reference to morality: "At the basic level, the answering of the 'first' question does involve a principle, the BLD [basic legitimation demand]. The approach is distinguished from that of PM [political morality] by the fact that this principle, which comes from a conception of what could count as answering a demand for justification of coercive power, if such a demand genuinely exists, is implicit in the very idea of a legitimate state, and so is inherent in any politics" (Williams, 2005: 8).

It is crucial to Williams' realism that the idea of a basic legitimation demand does not translate into a specific type of legitimation such as that of the Western liberal democratic ideal. Williams insists that the satisfaction of the basic legitimation demand "has not always or even usually, historically, taken a liberal form" (Williams, 2005: 8). In other words, traditional narratives, religious motives or grave security threats could just as easily work as legitimating forces that justify state coercion to the people. As we will recall, it is the historical deposits that determine what political concepts mean, and hence also what counts as satisfactory legitimation. Now as it just so happens, because of historical developments, modernity and the invention of the *Rechtsstaat*, that only the liberal solution for legitimation presents itself as acceptable "now and around here"

(Williams, 2005: 8–11). Or, as I would put it, the basic model of legitimation is formal, but the substantive content to what counts as legitimacy here and now is historically contingent and context-dependent. As Williams explains, the actual substantive outcome of what actually counts as legitimate will be the product of struggles and debates using the concepts of our historical deposit: "what we acknowledge as LEG [legitimate], here and now, is what, here and now, MS [makes sense] as a legitimation of power as authority; and discussions about whether it does MS [make sense] will be engaged, first-order discussions using our political, moral, social, interpretive, and other concepts" (Williams, 2005: 11).[9]

In such a manner, the liberal tradition of legitimation must on Williams' view be seen as the result of such engaged first-order discussions carried out by the use of the historical deposits of concepts available to us 'now and around here.' For instance, one can use a *liberal* conception of what it is to be human (i.e., autonomous and equal beings) to justify the liberal state, since they 'fit together' – "but one could not go all the way down and start from the bottom," as Williams (2005: 8–9) puts it. That is to say, it would be erroneous to assume that the liberal conception of people as autonomous and equal beings could ever be the sort of fact-insensitive ultimate normative principle justifying the normative principles of the liberal state (the way Cohen suggests normative principles are always grounded). But it would also be symptomatic of a special kind of arrogance that comes with liberal political moralism, since it "has no answer in its own terms to the question of why what it takes to be the true moral solution to the questions of politics, liberalism, should for the first time (roughly) become evident in European culture from the late seventeenth century onward, and why these truths have been concealed from other people" (Williams, 2005: 9). For Williams, political moralism has not in an adequate way explained how the various historical steps that resulted in the liberal tradition and the liberal conception of people as free and equal would amount to "an increase in moral knowledge" in the absolute sense (Williams, 2005: 9). From his political realism point of view, such political constructions and conceptions as those of liberalism are much better explained as the contingent results of a specific constellation of historical deposits.

With regard to the ideal versus non-ideal distinction in normative theorizing, we can see above that Williams belongs firmly to the non-ideal camp. As we saw,

[9] Notice that Williams does include a "critical theory test" for the basic legitimation demand that can take into account a situation in which people appear to accept a justification for power/coercion, but where this acceptance is actually the product of the power-relation and thus not "genuine" (addressing the problem of false consciousness as it relates to acceptance of a justification of power) (Williams, 2002: 225–32; 2005: 6).

Williams' normative concept of legitimacy is directly supported by the facts of the non-ideal reality of politics, for instance that human social organization is defined by power, coercion and opposing views. And further, Williams must be taken to reject the idea of pure ideal or fact-insensitive principles, since such principles, along with all other political values, must be seen as belonging to and stemming from concrete historical deposits (rather than free-standing notions of rightness). As with Cohen, a caveat must be included to this categorization of Williams' realism as belonging to the non-ideal camp: From the point of view of Williams' realism, Rawls does not allow nearly enough facts about political realities to influence his ideal concept of justice when he assumes full compliance and favorable conditions. Here, such general facts as 'principles of economic theory, laws of human psychology, and political affairs' are not factual enough, so to speak, as to support political principles or values, since these must be tied to a much richer and more specific account of the context or historical deposit that support them.

Realism in Williams contra utopianism in Cohen

We see here how different this kind of realism is from Cohen's utopian view that normative values ultimately have to be grounded in free-standing principles. Legitimation in Williams' realism *just is*, so to speak, as a function of the political. Since people live in coercive power structures, some order will necessarily be established, and that order will – since we are dealing with people who experience such attempts at making order – have to be justified to the people experiencing it in order to appear as acceptable. There is, in this realist story, no need for external sources that ground the normative concept of legitimation, since it is simply a function of order and the need for justification of the coercion imposing it. This political-realist foundationalism, where the normativity of distinctively political concepts is grounded in the facts of politics itself, stands in stark contrast to Cohen's need for ultimate principles to act as the final grounding of normativity.[10]

Cohen would, of course, challenge this sort of grounding of normative principles in facts by invoking his challenge of asking one to prove with a credible and satisfactory example how a principle could be grounded in a fact without reference to another ultimate fact-insensitive principle (Cohen, 2008: 236). We will recall

[10] Remember that Williams does not oppose the grounding of moral concepts with moral sources, whichever they may be. It is just the case that political philosophy and political normative concepts must be – because of their special status as political – grounded in the realism of the political itself.

Cohen's claim that there must always be some more ultimate principle (P2) that explains *why* some fact (F) supports a principle (P1). In this case we can see Williams' BLD as a principle (P1) supported by the fact (F) that it "is a human universal that some people coerce or try to coerce others, and nearly a universal that people live under an order in which some of the coercion is intelligible and acceptable" (Williams, 2005: 10). Here, Cohen's challenge to Williams would be to prove *why* the BLD principle (P1) is grounded in the fact that people live in coercive orders (F). That is to say, how do we, through political realism, get from these basic factual assumptions about people disagreeing, coercive power structures and the need for order to the normative principle of needing justifications for the authority that brings order through coercion? With Cohen, we could say that this link is impossible without reference to a further normative principle, such that we could say that, for instance, the principle of legitimation (P1) is supported by factual orders (F) *because* people are on the balance happier when their domination seems justified to them (P2). We have here introduced the fact-insensitive principle P2, that justifications of power relations bring happiness, as the ultimate foundation behind or above the apparent connection between P1 and F.

Williams would, of course, recognize this kind of reasoning as exactly the kind of political moralism he rejects together with political realism, since Cohen, on this view, is needlessly mixing up political principles and their need for foundations with the 'standard' moral-philosophical operation of grounding moral principles in other fact-insensitive ideal principles (such as Plato's *forms* or Kant's *a priori imperative*). For Williams, it is precisely the point that normative political principles are distinct from such fact-insensitive operations, since the political per definition is made up of factual constructions tied to non-ideal circumstances and contingent historical deposits.

End-state versus transitional theories

The final distinction in Laura Valentini's conceptional map of positions in the ideal/non-ideal landscape is that between end-state and transitional theories (Valentini, 2012: 660). This distinction refers to the difference in orientation, so to speak, between different normative theories. The former sort of theories have their eyes set on final destinations, such as a fully realized concept of justice, for instance, whereas the latter zooms in on the gradual steps required in order to get there, for instance through institutional reforms and the like. In terms of ideal versus non-ideal theory, it follows that ideal theorizing points towards such end-

state solutions, whereas non-ideal theorizing, taking feasibility constraints and partial compliance into account, lends itself to theories suggesting gradual reform and institutional betterment.

As Valentini points out, this distinction can be found in Rawls, where, importantly, the end-state properties of ideal theory are given "normative and logical priority" over the transitional steps of non-ideal theorizing, since such gradual improvement must necessarily have a goal to work towards (Valentini, 2012: 660). As quoted in Valentini, Rawls points out this hierarchical ordering of end-state goals above transitional steps in his *The Law of Peoples*, when he says about non-ideal theory that it "asks how this long-term goal might be achieved, or worked towards, usually in gradual steps […]. Until the ideal is identified, at least in outline […] non-ideal theory lacks an objective, an aim, by reference to which its queries can be answered" (Rawls in Valentini, 2012: 660). This notion of ideal justice as that which we aim for when we theorize about incremental steps towards justice under non-ideal circumstances fleshes out a further aspect of what Rawls was referring to when he claimed, as previously mentioned, that ideal principles of justice were still "generally relevant" (Rawls, 1999: 216). Put in terms of end-state versus transitional theory, the end-state ideal gains its general relevance through providing the point of reference for the very concrete operation of formulating transitional reforms that would meet the injustice of non-ideal circumstances.

As Valentini explains, this idea – that ideal theorizing provides a necessary point of reference logically prior to any attempt at finding gradual improvements leading towards *more* rather than *full* justice – has been criticized by Amartya Sen (Valentini, 2012: 661; Sen, 2009). On Sen's view, it is simply neither necessary nor helpful to spend time theorizing about end-state justice in order to make determinations about injustices here and now. First, because it does not take much of an intuition check to realize that we are perfectly capable of identifying injustices all around, such as extreme poverty or racial discrimination, without knowing what a fully just society would look like. And second, on Sen's view the idea of an ideal end-state goal does not come with any sensible metric with which we could measure our progress. In other words, it seems impossible to get a clear idea of how much closer to full justice one incremental solution would be compared to another, in which case the end-state ideal loses its meaning as a point of reference for non-ideal theorizing. As Simmons explains, Sen's view is that "we don't need to know all that ideal justice requires in order to compare (as to their effects on injustice) our policy options here and now, any more than we need to

know that Everest is the tallest mountain in the world before we can compare the heights of lesser peaks" (Simmons, 2010: 34–35).

Simmons himself acknowledges that activists in the pursuit of institutional reform and incremental justice will have little patience for philosophers trying to come up with end-state ideals, when what they are interested in are the transitional steps of action required by non-ideal circumstances. Nevertheless, Simmons also maintains that even here the end-state is needed in order to choose between policy options here and now. We might, for instance, be faced with two competing reform proposals that would both gradually ameliorate some state of injustice. This we might be able to realize without reference to an end-state ideal. But as Simmons points out, it only makes sense to choose between the two options if we know whether they are "both on equally feasible paths to the highest peak of justice" (Simmons, 2010: 35). In other words, while we might be able to recognize that different incremental steps all lead towards more justice here and now, we need the end-state ideal in order to properly evaluate whether some more feasibly bring us closer to the desired end-state than others. It might very well be the case that some gradual improvement, in the long run actually takes us further from the fully realized justice, at least in comparison to possible strategies of improvements. Especially if we consider that we might need to know whether the alternatives themselves also need to be morally permissible (Valentini, 2012: 661).

As Juha Räikkä points out, it does not seem "justifiable to ignore the necessary moral costs of the changeover to the ideal world when evaluating a theory of justice" (Räikkä, 1998: 33). In other words, what kind of 'small' injustice we should allow in order to bring about more justice. Here, it is Simmons' point that in order to say anything meaningful about such questions of both feasibility and moral desirability, one is in need of an end-state point of reference. On this view, the Rawlsian distinction between ideal and non-ideal theory holds up, since the end-state versus transitional aspects thereof point to two equally needed parts in the struggle for justice. "[I]deal theory dictates the objective, non-ideal theory dictates the route to that objective", as we saw Simmons (2010: 12) noting earlier. As Valentini sums up the differences between transitional and end-state theories, it is, on the one hand, true that we can make justice-comparisons under non-ideal circumstances without end-state ideals. But on the other hand, it seems equally true that the correct path and potential cost of transitional improvements can only be evaluated by reference to some ideal end-state (Valentini, 2012: 662).

Fact-sensitivity and action-guidance

In addition to Valentini's identification of the ideal versus non-ideal divide corresponding to the three aforementioned distinctions in theorizing (full versus partial compliance assumed, utopian versus realistic theories and end-state versus transitional theories), two additional concepts seem crucial for understanding the debate within contemporary political theory on how to properly do normative theorizing: fact-sensitivity (Farrelly, 2007; Lister, 2017; Johannsen, 2017) and action-guidance (Valentini, 2009; Lawford-Smith, 2010). The two concepts are closely connected, but where fact-sensitivity refers to what we could call the 'input side' of theorizing, action-guidance refers to what we accordingly could call the 'output side,' at least in the sense that what is meant with the degree of fact-sensitivity has to do with allowing facts into the development of normative theories or principles, whereas the idea of action-guidance has to do with what we are able to do with our theories or principles once these are in place. But no hard borders should be drawn from this distinction, as debates on what I call the input fact-sensitivity are often framed around what the consequences will be for output side prescriptions. Similarly, debates on output action-guidance are often framed around the degree to which facts should determine the theorizing process. The two concepts must, therefore, be understood in relation to each other.

The idea of taking fact-sensitivity into consideration in normative theorizing will of course be familiar to us from Cohen (2008), through his rejection of facts supporting ultimate principles. Johannsen defines fact-*in*sensitivity as the idea of not letting feasibility constraints or moral costs of implementation influence principles. This ultimately leads to a different class of principles than fact-sensitive ones, since fact-insensitive principles, on Johanssen's view, are not action-guiding (Johanssen, 2017: 246–8). Andrew Lister defines, using Pogge, fact-sensitivity as "limited generality" (Lister, 2017: 118). In discussing Rawls' difference principle, for instance, which is often presented as an ideal-theory principle, Lister draws attention to a number of factual conditions that must be in place for it to work. First, how it works depend on the slope of the 'contribution curve' which determines how much inequality is necessary for making the worst off better off. How a contribution curve will look for a given society is an empirical question. Second, these inequalities must never be so large that they effectively undermine the liberties guaranteed by Rawls' first and prioritized principle. Third, inequalities must not be grave to the degree that they undermine the principle of fair opportunity (for instance by being so pervasive that they persist as intergenerational advantages). These are all empirical issues determining how and whether the difference principle works (Lister, 2017: 122). Here, Lister's fact-

sensitivity refers to the level of generality, in that such empirical conditions are built into the principle and limits its scope.

Farrelly's treatment of the issues of fact-sensitivity is informed by the view that "even moderate ideal theorists are too idealizing and that this obstructs the value of their central prescriptions" (Farrelly, 2007: 846). Nevertheless, Farrelly also identifies a potential danger in being overly fact-sensitive in the theorizing process, since this might lead to a situation in which those circumstances which a normative theory is meant to improve are instead taken for granted, thus affirming the status quo. Farrelly's awareness of the inherent dangers in both extreme fact-insensitivity and fact-sensitivity makes his depiction of the different positions in the political-philosophical landscape very useful for understanding how the issue of fact-sensitivity relates to the ideal and non-ideal divide.

Figure 1 below is redrawn from Farrelly and shows a spectrum between extreme fact-insensitivity and ideal theorizing on the left and extreme fact-sensitivity and non-ideal theorizing on the right (Farrelly, 2007: 847). On the extreme left-hand side, ideal theorizing is described as a position in which justice (and normative principles in general, I would add) is "logically independent of non-ideal considerations" (Farrelly, 2007: 846). Conversely, on the extreme right-hand side, non-ideal theorizing is described as a position in which a host of factual constraints, such as non-compliance, unfavorable historical conditions, human nature, institutional design, etc., is taken into account when doing normative theorizing. Farrelly also reserves a place in-between these two positions for what he terms a "moderate" position, in which only some moderately strong feasibility constraints are allowed to influence the normative theorizing process. What is important to notice is the two different danger-properties Farrelly attaches to both extreme positions. On the left-hand side, and as regards ideal theorizing, Farrelly warns that such theory has the property that it "runs the risk of invoking an account of justice that fails to function as an adequate guide for our collective action in the real, non-ideal world" (Farrelly, 2007: 846). On the right-hand side, and as regards non-ideal theorizing, Farrelly identifies both "reaffirming the status quo" and "adaptive preference formation" as properties of such theorizing. Here, reaffirming the status quo means taking "*all* existing constraints (even those imposed by an unjust social structure) […] as legitimate constraints" (Farrelly, 2007: 846). Similarly, the property of adaptive preference formation "occurs when one believes that the current situation is the best possible situation" (Farrelly, 2007: 846).

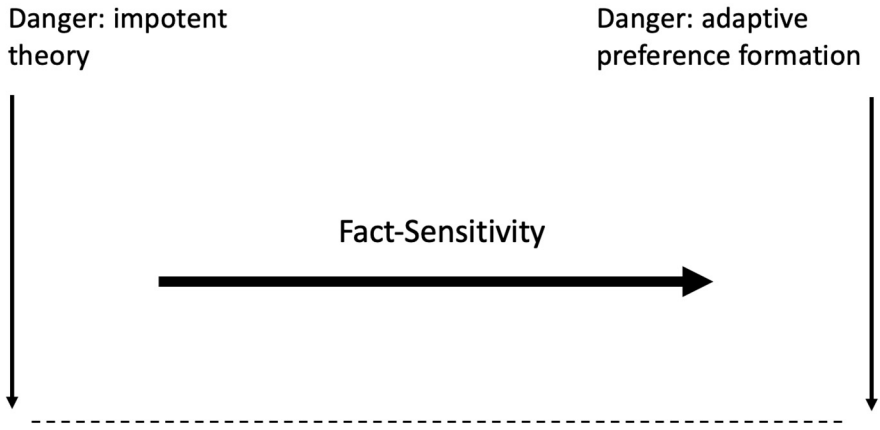


Figure 1. Spectrum of the dangers of fact-sensitivity (Farrelly, 2007: 847).

Turning now to the issue of action-guidance, it is a commonsensical and often held position that a capacity for guidance is "a necessary attribute of any sound normative theory" (Valentini, 2009: 333). In other words, what good is a theory about what we ought to do, if it cannot guide us and prescribe action? Valentini breaks down this action-guidance requirement into three different interpretations (Valentini, 2009: 340–3). First, it could be taken to mean that normative theories are faulty if they fail to motivate or inspire action, i.e., that people simply do not follow the rules or principles set out by the theory. Second, the action-guidance requirement might refer to whether or not the normative theory prescribes immediately actionable prescriptions. Third, the action-guidance requirement could be taken to mean that the actions prescribed by a normative theory should not be self-destructive, such that a person following the prescription would suffer greatly or even lose their life (imagine, as Valentini explains, the mortal danger of being the only honest person in a world of liars).

Valentini approaches the action-guidance requirement through the perspective of ideal theories and what she identifies as a paradox therein, namely that "ideal theory is both necessary for guidance, and yet incapable of offering guidance" (Valentini, 2009: 355). Valentini identifies this paradox of ideal theory in the literature on ideal normative theorizing by stating three propositions found therein (Valentini, 2009: 333):

1. Any sound theory of justice is action-guiding.
2. Any sound theory of justice is ideal.
3. Any ideal theory of justice fails to be action-guiding.

Valentini's paradox follows from two assumptions about ideal theory. First, ideal theory "fails to function as an adequate guide for our collective action in the real, non-ideal world," as we Farrelly notes. Second, that ideal theory is at the same time indispensable for guiding action (Valentini, 2009: 333). If we could just agree that non-ideal theory was all we needed for action-guidance, the paradox would lose all relevance. For the purposes of this discussion it is not important that Valentini – herself a proponent of ideal theory – proposes a solution to this paradox that 'saves' ideal theory.[11] Instead, what is worth noting here is *the demand* for normative theories being action-guiding themselves, as this takes a central role in the debate surrounding ideal and non-ideal theorizing and the proper way to do normative theorizing. This demand bears close resemblance to Farrelly's fact-sensitivity discussion, but attacks the issue from the opposite direction, so to speak. Here, actionable prescriptions become the criterion from which subsequent choices about fact-sensitivity in normative theorizing should be made (instead of, as for Farrelly, degree of action-guidance being the outcome of fact-sensitivity in the theorizing process).

Lawford-Smith has criticized the premise of Valentini's paradox that all normative theory must be both action-guiding *and* ideal. First, she posits that even fact-insensitive (or "unconditional") theories can be indirectly action-guiding through providing a standard (Lawford-Smith, 2010: 364–7). Second, "sound" normative theories might contain statements such as '"life ought not to be so unfair and 'World war II ought to not have happened" (Lawford-Smith, 2010: 358). These statements strike Lawford-Smith as perfectly sound normative statements, though obviously no direct prescription could be derived from them. Regardless, the action-guidance requirement of normative theories remains, in close connection to the fact-sensitivity versus fact-insensitivity distinction, intimately connected and relevant to debates about ideal and non-ideal normative theorizing.

[11] Valentini's solution is that normative theories can make idealized assumptions as long as the *subjects* to which its prescriptions are meant to apply are not idealized (Valentini, 2009: 355).

III Foundationalism

I will now move beyond the confines of the ideal versus non-ideal distinction as a methodological divide in normative theorizing and instead focus on the question of foundations. This is primarily an epistemic question, in the sense that it is an enquiry into how we justify what we know. The question of the foundations of normative theory – and foundations more generally of all knowledge including normative knowledge – bears a close resemblance to the debate between Cohen's utopianism and William's realism as it concerns how principles or normative theories can be supported. Broadly, we can, together with Roderick, define "foundationalists (whether from the continental tradition or the analytical tradition) [as] those who want to do for knowledge what the tradition from Descartes through Kant wanted to do for it – namely, provide it with a justification where possible, and a critique where none is possible, in order to rest all our knowledge on a firm, indubitable, unshakable basis" (Roderick, 1986: 8). Foundationalism in this sense takes Cohen's idea of support a step further, since it is a more final resting ground than just the idea that a justification of all principles can always be demanded. Conversely, and again at the hand of Roderick, we can define anti-foundationalists as those who oppose the idea that such *terra firma* can be reached for any knowledge and so also for normative knowledge: "According to anti foundationalists this is an impossible dream […]. The move from the indubitable ideas of the individual thinking subject to the intersubjectively shared practices of actual language use seem to leave us with no 'foundations' outside or beyond the changing and contingent social practices within which such linguistic practices are actually to be found" (Roderick, 1986: 8). I will in the following elaborate on this distinction between anti-foundationalism and foundationalism by examining the arguments of Rorty, McCarthy and Cooke.

Rorty's realism – epistemological behaviorism

Rorty holds a special position in the discussion on how to properly ground normative principles. Unlike Williams, he approaches the question from within "political morality," so to speak. At least, insofar as his position on the matter is informed by philosophy itself, without seeing the need, like Williams, for carving out the political as a special sphere separate from morality. For Rorty, there is no need to have different standards for how to ground concepts such as the true or the right according to whether or not these are seen as political or moral concepts. To him, the question of grounding normative principles is ultimately one of

grounding human knowledge, which supersedes any further division into politics or morality. Having said that, Rorty's position shares many similarities with Williams' political realism, since both see no alternative to grounding normative principles other than in the contingent and historical language and beliefs of today without reference to ultimate foundations. As Rorty explains, we have no access to some external nature or factual ground on which we could rest assured that our "epistemic or moral authority" was once and for all anchored. Instead, such epistemic or moral authority must itself be grounded within our horizon of language and beliefs:

> the issue is not adequacy of explanation of fact, but rather whether a practice of justification can be given a 'grounding' in fact. The question is not whether human knowledge in fact has 'foundations', but whether it makes sense to suggest that it does – whether the idea of epistemic or moral authority having a 'ground' in nature is a coherent one. […] to say that truth and knowledge can only be judged by the standards of the inquirers of our own day is not to say that human knowledge is less noble or important, or more 'cut off from the world', than we had thought. It is merely to say that nothing counts as justification except by reference to what we already accept, and that there is no way to get outside our beliefs and our language so as to find some other test than coherence. (Rorty, 1980: 178)

As McCarthy explains in his analysis of Rorty's critique of the linguistic turn in philosophy and the search for ultimate philosophical foundations, the above quotation can be taken to mean two things. First, it could be seen, quite trivially, as the idea that the world necessarily always presents itself to us from our own inescapable point of view: "There is a way of understanding this on which it is unexceptionally but uninterestingly true: we can't get out of our skins, we have to start from where we are, we have to judge things by their own light – in short, we have to make do without a God's-eye point of view" (McCarthy, 1992: 245). Second, and this is in McCarthy's reading Rorty's real assertion, it could be taken to mean that philosophy has mistakenly operated under the assumption that our epistemic horizon – everything that we know, including our moral authority – could be seen as separate from some external resource which we, once fully grasped, could use as the foundation of our knowledge about the world. It is, as Rorty explains, "*the* philosophical urge" to want to find some such external ground as nature, facts, the given, pre-linguistic capabilities, etc., in order to show correspondence between it and our philosophical concepts (Rorty, 1980: 179). It is this mistaken division between philosophical concepts, including moral concepts, and some external thing to which they are thought to correspond, which has led philosophy astray. It is this primal philosophical urge that has brought

with it such erroneous notions as transcendental justification of our normative principles and rationally reconstructed points of invariance on which our moral authority could rest. As McCarthy explains Rorty's position:

> Rorty's way is more interesting but also easier to take exception with. It amounts to flattening out our notions of reason and truth by removing any air of transcendence from them. He allows that Socrates and Plato introduced into our culture 'specifically philosophical' uses of terms which, like Kant's ideas of pure reason, were 'designed precisely to stand for the Unconditioned – that which escapes the context within which discourse is conducted and inquiry is pursued'. [This means that] there is no divide between what can be justified by the resources of our culture and what is rational, true, real, objectively known, and so forth. It is the specifically philosophical uses that cause all the trouble, and the remedy is a familiar form of therapy: we are to get rid of the philosophical cramps caused by any such transcendent ideas by restricting ourselves to the commonsense notions immanent in our culture. (McCarthy, 1992: 245)

As McCarthy here points out, it is essentially Rorty's contention that somewhere along the line philosophy made the grave mistake of wanting to base its notions of truth, reason, reality, etc., on some "unconditioned" foundation: an Archimedean point of reference or "God's-eye point of view" that stands outside of the context of discourse with which various subsequent philosophical inquiries are to take place. The usefulness of such a foundation is of course that it provides an invaluable resource in providing justifications for how and why something should be considered true, reasonable, real or just. But as shown in the above quote, Rorty considers such a resource an impossibility. To him, "nothing counts as justification except by reference to what we already accept." In other words, we can only justify our claims by reference to notions of truth, reason, etc., which are immanent to our culture and language: "the True and the Right are matters of social practice" (Rorty, 1980: 178). On this view, we simply have no access to some unconditioned resource of justification that would transcend our beliefs here and now and act as an invariant and context-free point of view. There is, on Rorty's view, "no permanent neutral matrix within which the dramas of inquiry and history are enacted [which means that] criticism of one's culture can only be piecemeal and partial – never 'by reference to eternal standards'" (Rorty, 1980: 179).

For Rorty, this leads him in the direction of "epistemological behaviorism," in which justifications of truth-claims are to be based on "social practice, which will bring us down from the clouds back to earth, that is, back to the concrete, situated actions and interactions in which our working notions of reason, truth,

objectivity, knowledge, and the like are embedded" (McCarthy, 1992: 244). Since there is "no way to get outside our beliefs and our language" and no other way of testing the validity of our truth-claims than through the test of "coherence," we ought to abandon transcendent justifications all together and instead see any and all justifications for what they are: social practices. In other words, whenever we attempt to justify some truth-claim, up to and including some normative principle with political implications, we are in fact engaging in the *social practice* of justification. A social practice that is, like all social practices, unequivocally and necessarily inscribed into the immanent reality of the here and now. As Rorty explains, epistemological behaviorism thus differs from normal epistemology (and any philosophical direction that might attempt to find foundations for its knowledge):

> For epistemology is the attempt to see the patterns of justification within normal discourse as *more* than just such patterns. It is the attempt to see them as hooked up to something which demands moral commitment – Reality, Truth, Objectivity, Reason. To be behaviorist in epistemology, on the contrary, is to look at the normal scientific discourse of our day bifocally, both as patterns adopted for various historical reasons and as the achievement of objective truth, where 'objective truth' is no more and no less than the best idea we currently have about how to explain what is going on. (Rorty, 1980: 385)

Rorty, in other words, shifts the focus to the social behavior which constitutes our patterns of justification through language and beliefs. And crucially, he does not thereby give up on the possibility for scientific discourse to reach "objectively" true conclusions. In Rorty, there is no need to add the philosophical invention of 'hooking up' such truths to any foundations external to that truth. All that is needed, in other words, in regard to normative principles, is to base them on "the best idea we currently have about what's going on" and proceed from there via the normal philosophical route of making good and rigorous arguments – aware that our notion of objective truth is inextricably tied to a contingent historical context.

This leads Rorty to criticize Habermas' idea that we are able to locate and discover the subjective conditions of knowledge as a final foundation by closely examining how we come to hold knowledge in the first place. That is to say, by examining reason itself through the study of our pre-linguistic capabilities. And further, the idea in Habermas that once fully realized, this foundation will appear inevitable as if reason *had to* at some point or another use its mode of inquiry on itself. As Rorty explains: "But these 'subjective conditions' are in no sense 'inevitable' once

discoverable by 'reflection upon the logic of inquiry'. They are just the facts about what a given society, or profession, or other group, takes to be good grounds for assertions of a certain sort" (Rorty, 1980: 385). In other words, there is no inevitability involved in rationality discovering its own modes of inquiry. Rather, this is exactly the kind of mistaken 'urge' to elevate what we just so happen 'to take to be good grounds for assertions of a certain sort' and make it into an external reference point such that our derived normative concepts can correspond thereto. In this case, the subjective conditions for understanding itself as somehow outside our contingent historical context.

McCarthy's critique of epistemological behaviorism and defense of the unconditioned

McCarthy criticizes Rorty's epistemological behaviorism and its grounding of all knowledge, including truth and normative principles, in social practice and particular inescapable languages. On his view, Rorty's realism goes too far in dispensing with any notions of truth, objectivity, the unconditioned, reason, etc., since for McCarthy such notions stand as foundational pillars for any attempt to learn, criticize, self-critique and look beyond our own ingrained view of the world. In other words, the external perspective gained from the philosophical idea of seeking grounding or foundations outside of that behavior or language we seek to criticize or improve with normative principles is no mistake, but rather an indispensable resource for such normative endeavors. Of course, McCarthy is fully aware of and agrees with Rorty's assertion that any standard of truth will be tied to a specific and particular horizon of values, practices and language. Yet he still reserves a wholly indispensable place in normative theories with a critical intent for such notions as "the idea of reason" or "pragmatic presuppositions of communicative action" (a Habermasian idea I will revisit in the following chapter): "While we have no idea of standards of truth wholly independent of particular language and practices, 'truth' nevertheless functions as an 'idea of reason' with respect to which we can criticize not only particular claims within our language but even the standards of truth we have inherited" (McCarthy, 1992: 258).

What McCarthy is here saying is that while such standards as truth or reason might very well be immanent to some particular culture, value-horizon or language, they still serve as critical standards that can transcend this immanence because of their critical potential. That is to say, the idea of 'truth,' for instance, exceeds any of its particular incarnations, because the possibility of applying it to

itself remains in place, since with truth as a concept we can always ask, even of some seemingly given truth, if it is indeed true. In that sense, such a standard "[t]hough never divorced from social practices of justification, from the rules and warrants of this or that culture, […] cannot be reduced to any particular set thereof" (McCarthy, 1992: 258). This property of such standards not being reducible to any particular set – reason, for instance, not being reducible to any one amongst other understandings of what it is – is what I would call the formal character of such standards. This is a most peculiar property. Even if our understanding of what a thing like reason entails will necessarily belong to some particular context – or belong to one set amongst other sets, in McCarthy's parlance – it is equally necessary that a part of that understanding will escape that context, such that this particular property of that set will be both part of and exceed the set. It is that exact property, which is both part of the set and not, that I call a formal property and will later explain through recursion.

The point of all this is that, on McCarthy's view, we cannot do away with all notions of the ideal in favor of the real without losing our capability to launch continual self-critique of our own understandings of what is right or wrong, true or false. Without the idea of some unconditioned foundation we would trade in "ideal acceptability" for "de facto acceptance," since we would have no normative recourse to anything outside of our horizon of understanding (McCarthy, 1992: 259). Instead, McCarthy holds the view that we can indeed accept that our notions of truth, objectivity, reason, etc., come to us from a particular context – yet also hold onto the idea that they entail a "surplus of meaning" that gives them their critical potential:

> We can and typically do make contextually conditioned and fallible claims to unconditional truth […]. It is this moment of unconditionality that opens us up to criticism from other points of view. Without that idealizing moment there would be no foothold in our accepted beliefs and practices for the critical shocks to consensus that force us to expand our horizons and learn to see things in different ways. It is precisely this context-transcendent, in Kantian terms 'regulative', surplus of meaning in our notion of truth that keeps us from being locked into what we happen to agree on at any particular time and place, that opens us up to the alternative possibilities lodged in otherness and difference, which have been so effectively invoked by post-modernist thinkers. (McCarthy, 1992: 259)

Where else could our "critical" shocks, those that inform radical notions of justice and morality, come from? Rather than following Rorty's prescription and let our moral knowledge (including our normative theories) remain bound by the non-

ideal circumstances of our actual social practices of justification, McCarthy holds the view that "[a]n alternative is to recognize the idealizing elements intrinsic to social practice and build on them" (McCarthy, 1992: 259).

Normative foundations between objectivism and contextualism

McCarthy's idea of locating "idealizing elements intrinsic to social practice" – in other words, finding ideal context-transcending properties within our own immanent context – leads to another central dividing line in the debate in political theory on how to theorize normatively, namely that of situating normative foundations between objectivism and contextualism. Cooke offers a useful insight into what is at stake with this distinction between objectivism and contextualism in her investigation into what she calls social philosophy (Cooke, 2004). Social philosophy is here defined as a "mode of reflection" with its origin and development in Western industrialization and modernity, in which the aim is to work out "critical standards for evaluating forms of social life that would facilitate individual human flourishing" (Cooke, 2004: 35–6).

This modern and Western mode of reflection has, besides being formed by a historical context in which it was realized that authority is always open to critique (the democratization and secularization of authority), been characterized by three key formative elements. First, the normative conception of knowledge, "that there are no authoritative standards independent of history and of cultural context that could adjudicate rival claims to validity, especially in the areas of science, law, politics, morality and art, and that such claims should be construed fallibilistically" (Cooke, 2004: 41). In other words, a normative position on knowledge that was born out of the modern epistemic skepticism towards authority and that holds that all claims to standards must be challengeable. Second, the normative conception of human beings, that "everyone is in principle deserving of equal respect as an autonomous moral agent with a distinct point of view" (Cooke, 2004: 41). And finally, the normative conception of subjectivity, that "the subject is held, first, to be internally disunified and, second, to be at least partially constituted by material and social forces" (Cooke, 2004: 41). That is to say, the normative idea that no human holds an essential and stable identity, and that the identities we have can be shaped by our social surroundings.

These are key formative elements of contemporary social philosophy insofar as, on Cooke's view, they work as constraints on this mode of reflection: social philosophy would have to actively and explicitly reorient its position regarding these normative presuppositions if it wants to escape them; these presuppositions

are so fundamental to this mode of reflection that it would require intensive philosophical justifications to break from them. In that sense, these key presuppositions together form the "fundamental self-understanding constituting the normative horizon of (late) Western modernity" (Cooke, 2004: 41). Crucially, as per the first key formative element, these are constraints of which social philosophy is reflexively self-aware.

This reflexive self-awareness of its own epistemic position on knowledge naturally makes it especially tricky for such social philosophy to ground or validate its critical intentions. In other words, it has to "postulate 'objective' standards for assessing the social conditions for human flourishing" in a way that both makes it capable of defending its own normative foundations while also being aware that in principle it has no recourse to ultimately authoritative standards independent of history and of cultural context (Cooke, 2004: 37). Objectivism is here defined as evaluative standards that are non-arbitrary and universally applicable (Cooke, 2004: 37). As Cooke explains, social philosophy has four reasons for needing such objective standards.

First, some objectivist grounding is needed to validate its social critique, since only relying on context-immanent critique would risk "delivering over the standards of critique to the arbitrary standards of a given historical epoch. Insofar as they rely *solely* on a context-immanent strategy, social philosophers ultimately lack the resources necessary to defend the validity of their normative visions and social criticisms against arguments that appeal to competing normative standards – or against those who deny the rationality of normative arguments" (Cooke, 2004: 38). This reason states that social critique without objectivist grounding would have no defense against the relativism that would follow from setting other equally immanently derived (but perhaps arbitrary) perspectives on an equal standing with itself.

Second, an objectivist grounding is needed in order to make critical determinations about new normative positions and principles that emerge historically. That is to say, the objectivist footing serves as a point of reference, such that the critical stance of social philosophy can move beyond just diagnosing the existing state of affairs and actually handle normative evaluations of new developments. "[S]ocial philosophers require conceptual resources for identifying the newness of [emerging] claims and for assessing their validity. Were social philosophers to rely on a purely context-immanent justificatory strategy, they would lack the conceptual resources for evaluating new kinds of normative claims" (Cooke, 2004: 38).

Third, social philosophy needs a recourse to objectivism because it needs a solid basis for its conception of social progress. This idea of social progress is needed in order for social philosophy to "defend the key normative conceptions guiding their respective projects as improvements *vis-à-vis* earlier conceptions. […] Were social philosophers self-consciously to restrict the validity of their normative conceptions of human flourishing to those who share their own historically specific, interpretive horizon, they would be unable to defend any concept of social progress" (Cooke, 2004: 38-9). Just as social philosophy must be able to defend its key concepts against the emergence of new normative challenges, it must also be able to defend its normative claims against previous conceptions, such that its own normative conclusions, for instance about individual autonomy, appear as improvements on that which was before. Objectivism here serves as the basis for making normative claims that are supposed to be more than just expressions of rival conceptions of the good, but, and instead, convey actual progress.

And finally, the objectivist basis is needed, Cooke claims, because it is necessary for entering into deliberation with competing – and maybe contradicting – normative conceptions formed in and by other interpretive horizons. At least, on Cooke's view, it would be impossible to enter into a *transformative* deliberation, in which there would be a real potential for learning and expansion of social philosophy's own interpretive horizon without an objective basis. "Were social philosophers self-consciously to restrict the validity of their normative conception of human flourishing to those who share their own, historically specific, interpretative horizon, they would have no *motivation* to engage in deliberation with those who hold competing views. Even more importantly, they would lack the conceptual resources for any meaningful concept of *learning* from such deliberations" (Cooke, 2004: 38–9). I believe the key here is that objectivism once again serves as a point of reference which makes comparisons possible. Without it, competing normative conceptions would appear either incomprehensively foreign or possibly even as antagonistically incommensurable.

On Cooke's view, then, social philosophy as a mode of reflection straddles *both* an epistemic awareness of the contextual situatedness of its own normative foundations *and* a need to find evaluative standards that are non-arbitrary and universally applicable, i.e., objective. It needs to be aware that its own interpretive horizon was born out of a specific understanding in time and place – Western industrialization and modernity – and still be able to validate its own standards as a part of discernable social progress. So, what does the connection between objectivism and contextualism look like in a social philosophy that knows that its

own knowledge and rationality, with which it seeks to find objective standards, is shaped historically by social, material and cultural forces?

First of all, social philosophy must make use of an anti-foundational strategy in the sense that it must take on a fallibilistic view of its own justified normative assertions (Cooke, 2004: 42). This is not, however, the anti-foundationalism normally associated with the ethical relativism of post-modernism, since this sort of lack of normative standpoints is antithetical to the whole critical project of the social philosophy in question. Rather, this is an anti-foundationalism which "correctly suggests a project concerned to maintain the 'objectivity' of warranted assertions while acknowledging the historicity and fallibility of knowledge" (Cooke, 2004: 42–3). Second, it must acknowledge a multiplicity of diverging and sometimes incommensurable moral perspectives while also respecting the equal moral worth of all persons. Note here that it must not respect all moral perspectives, of course, but only the moral standing of the people holding them, that is to say, respect their capacity for morality. And third, it must be aware that "contingent material, social, and psychic factors constantly shape and re-shape these competing moral views" (Cooke, 2004: 42). With these commitments to anti-foundationalism, moral plurality and equal worth of people, the connection between objectivism and contextualism begins to emerge:

> 'contextualism' and 'objectivism' are intimately connected. 'Objectivism' stresses the need for evaluative standards that are non-arbitrary and universal; at the same time, however, it is compatible with anti-foundationalism and acknowledges the inescapable influences of history and context on human processes of interpretation and evaluation. It thus incorporates a 'contextualist' perspective. 'Contextualism', by contrast, stresses the historical contingency of evaluative standards and the diversity of evaluative perspectives. Although it does not deny the need for non-arbitrary, universal standards of evaluation, it is mainly concerned with possibilities for normative assessment through appeal to evaluative standards immanent to a given context of interpretation. If it is to practice more normatively robust social critique, however, 'contextualism' has to be supplemented by 'objectivist' arguments. In short: whereas 'objectivism' without 'contextualism' is blind, 'contextualism' without 'objectivism' is impoverished. (Cooke, 2004: 43)

With this specific understanding of how objectivism and contextualism combine in the mode of reflection that is social philosophy, Cooke is, with inspiration from her reading of Habermas, proposing a two-step justificatory strategy for social philosophy (Cooke, 2014: 68). First, social philosophy should find contextual arguments in favor of its normative visions, prescriptions, principles, theories, etc., and use these to justify them. This sort of context-immanent justification ensures

that the normative content of social philosophy respects and responds to the plurality of moral and evaluative perspectives that mark, now more than ever, the political, social and moral landscape. But as we have seen, solely settling for this kind of context-immanent justification will mean that social philosophy would fall short on several points. It would be unable to defend its normative content against competing normative standards. It would be unable to evaluate the normative value of new normative conceptions. It would also be unable to defend a concept of social progress which makes the normative content it presents appear as achievements rather than arbitrary outcomes. And finally, it would be unable to engage with and potentially learn from competing normative conceptions through deliberation and engagement.

Second, social philosophy must therefore add objectivist arguments for its fundamental normative conceptions which allow social philosophy to justify these as non-arbitrary and as "universally applicable historical achievements" (Cooke, 2004: 68). By adding such objectivist justifications to its overall strategy of justification, the abovementioned hazards of a purely context-immanent justification are avoided. But at the same time, of course, this objectivist added layer of justification must be compatible with an epistemic anti-foundationalist (in the sense of acknowledging the historicity and fallibility of knowledge) view. Only then does social philosophy avoid simply status quo bias and adaptive preference formation in the theorizing process. With this two-step justificatory process, in which normative theory is given both an objectivist and contextual foundation, Cooke is clearly delivering an alternative to Rorty's epistemological behaviorism and rejection of such foundations. Instead, she is taking up the gauntlet thrown by McCarthy and pointing to social philosophy as a mode of reflection that finds ideal normative theories and principles with context-transcending properties within our own immanent context.

As a final point, it is Cooke's conclusion that the objectivist strand of justification needed to justify the foundations of social philosophy must be tied to a theory of social learning:

> What is required is an 'objectivist' argument that can defend the key normative conceptions underlying the normative picture of human flourishing in question as universally applicable historical achievements. This amounts to a normative theory of social learning processes. Such a theory would, of course, have to be worked out in a way that is congruent with the normative horizon of Western modernity by avoiding the traps of ahistoricism, foundationalism and ethnocentricism. (Cook, 2004: 70)

On Cook's view, such a normative theory of social learning processes, that is to say a theory of progress, is needed in order to establish the necessary objectivist part of the two-step justification of the foundation of normativity in social philosophy (Cooke, 2004: 69). The entire idea of being able to look at the unfolding of history and speak of normative achievements, rather than arbitrary events, hinges upon such a theory of progress. At the same time, of course, Cooke is adamant that such a notion of social learning must be conceived in a way that still fits with the epistemic anti-foundationalism of social philosophy in order not to appear as ethnocentric, etc. This is clearly a complicated task, since a commitment to both epistemic anti-foundationalism and an objectivist conception of progress appears, at a first glance, either impossible or at the very least paradoxical.

Nevertheless, Cooke lays out what she sees as the basic requirements for such a theory of social learning: First, it must have "a convincing phenomenological account of learning" (Cooke, 2004: 70). That is, it must be able to explain what it actually means for the individual to learn something and how it differs from simply adapting a new skill. This importantly includes a description of moral learning. Second, it must include an "empirically guided theoretical reflection on the kinds of cognitive and practical capacities that are a precondition of learning" (Cooke, 2004: 71). In other words, such a theory would have to take seriously the idea of basic anthropological capacities for learning, such as Chomsky's theory of pre-linguistic competence (Chomsky, 1965). Third, such a theory of social learning would also have to include a convincing account of the connection between individual and collective learning, which in turn would most likely have to include exploring "the interconnections between individual and collective identity-formation" (Cooke, 2004: 71). Such a theory of progress would have to account for how individual moral learning should be understood in relation to the moral learning of a whole society and its "interpretive horizon". Insofar as morality is connected to identity, this would then spill into an account of individual and collective identities. And fourth, such a theory would have to, in a philosophical rather than phenomenological sense, explain what learning means, such that it could answer the question: "why do we imply that the change in perspective constitutes an *improvement* rather than simply an *alteration* in point of view[?]" (Cooke, 2004:71).

This final point would appear to be the crux of such a normative theory of social learning, since only with a robust conception of how such a question could be answered would it be able to deliver the objectivist pillar needed for the two-step justification of the foundation of social philosophy. Cooke finds inspiration in

Habermas for what such a theory of social learning could look like. Here, the contextual learning processes of Western modernity can be seen as building upon "antecedent 'evolutionary learning processes' that have in turn given rise to our forms of life" (Habermas quoted in Cooke, 2004: 74). In other words, the contextual learning processes that give rise to a reflexive self-awareness which includes epistemic anti-foundationalism must be seen as made possible by or building on a more general human antecedent learning process. In that sense, the historical emergence of the idea of a transcendent concept of progress must itself be seen as part of a learning development. But even so, it still retains its transcendent force, since it *itself* constitutes an achievement or learning outcome. I will return to such a theory of social learning as it relates to a kind of teleological reasoning and its significance for normative theory in the next chapter.

IV Reflecting on dividing lines in political theory and how to ground normative theory

As we have seen in this chapter, the questions of how normative theories and principles ought to be theorized, what kind of questions they should answer as well as how or even if they can be grounded, have been and remain hotly debated topics in normative political theory. Rawls' methodological distinction between ideal and non-ideal theorizing has, since its publication, defined much of the debate. Even though Rawls himself saw these as being two equally necessary parts of normative theorizing about justice, each mode of theorizing has gained its independent support as the proper way forward for normative political theory. In the following chapters, I will, in light of the many rifts explicated in this chapter, examine the idea of recursive grounding and the mechanisms of recursive normative concepts in Habermas, Honneth and Forst.

There, I will analyze and draw out the mechanisms of recursion from Habermas' rational reconstruction, Honneth's normative reconstruction and Forst's explicitly recursive reconstruction of the principle of justification from practical reason. With Habermas and Honneth, methodological recursion is seen via a distinctive teleological kind of reasoning, where standards for evaluating the present state of affairs are derived: 1) immanently, from the historical deposits of societies' gradual achievements, which are seen as a social learning process and 2) transcendentally, from a projection of these standards into the future as a hypothetically anticipated state of affair in which these standards are fully realized. Here, it is the teleological element in the latter movement of anticipation, where

some direction to the immanently derived standards is postulated, which allows Habermas and Honneth to critically bring back this standard to the present as a transcendent yardstick. Regarding Forst, the method of recursion as a way of grounding is more directly located in his "recursive reconstruction of the principle of justification within moral contexts" (Forst, 2012: 31–2). I will in the following chapters stress the formal properties of Habermas, Honneth and Forst's reconstructed standards, since I will argue that it is this formal property in their normative theorizing which makes it plausible to *both* have transcendent standards of evaluation *and* let these be informed by context-immanent analysis.

For now, I will briefly sketch out which positions I see these reconstructive methods adopting in relation to the main issues concerning normative theorizing that have been brought up in this chapter. As regards the utopian versus realistic theory distinction, I believe the reconstructive method shares many features of each position, while also rejecting many of their assumptions, in what must ultimately be seen as a reconciliatory stance between utopianism and realism. In the language of Cohen's utopian stance, the reconstructive method shares the ideal-theoretical idea of not letting feasibility constraints influence ultimate principles. The principles or normative theories of the reconstructed method are highly idealized in this sense. I also believe that the reconstructive method, at least that of Habermas and Forst, also shares with Cohen an insistence on the property of reason that we may always ask for justifications and that this in itself is a critical resource. I see a similarity here between the rational reconstruction of Habermas and Forst and Cohen's principle of always being able to ask for explanations of how facts support principles: what I would call a formal capacity for critique inherent to reason (Habermas and Forst) or normative principles (Cohen).[12]

Yet conversely, the reconstructive method also explicitly sees itself as intimately tied to factual groundings, whether they be prelinguistic capacities/reason in Habermas, anthropological/psychological needs for recognition in Honneth or even in Forst's assumption of "human beings as *justificatory beings*" (Forst, 2012: 1). Indeed, it is from such factual origins that the normative content of the reconstructive method is drawn.[13] As a matter of fact, the sharp general distinction in Cohen between facts as "being or corresponding to any truth other than a principle" stops making sense when confronted with the tradition of immanent

[12] On this point, see especially Chapter Five on Forst's normative theory of justification.

[13] It is worth noting that Cohen allows that plenty of good normative principles can be and are supported by facts. It is only that this can never be their final grounding. In that sense it is possible that the reconstructive method's factual grounding of its normative content could be allowed by Cohen – as long as it is stressed that such a factual grounding is never the ultimate grounding.

analysis, since normative principles are here derived directly from the facticity or contexts of individuals, practices and societies. In this sense, the reconstructive method is much more closely aligned to non-ideal theorizing than Cohen, since in the reconstructive tradition the factual conditions of societies, institutions, norms and practices are allowed to influence its normative content.

This non-ideal point of departure does make for a close connection between the reconstructive method and Williams' political realism. In Williams, the political world is taken as it is and normative political principles or values, such as liberalism, must be seen as stemming from a concrete historical development. The reconstructive method shares this understanding that normative content must be reconstructed from that which already exists (immanent contexts). In other words, it shares with Williams the idea that normative values are closely tied to our historical deposits. In that sense, the reconstructive method would, I believe, agree with the sentiment behind Williams' assertion that a value such as freedom could not be philosophically defined once and for all, but rather only philosophically constructed – in the sense that it would be possible to construct "a core or skeleton or basic structure" of a value such as freedom, but that its actual substantive content would be "a function of actual history" (Williams, 2005: 75). In a similar vein, I believe it could be argued that Williams' principle of a "basic legitimation demand" might as well be reconstructed from an empirical and principally falsifiable investigation into social organization and politics as coercion, power, authority and the need for justification. I further think the analysis of this basic legitimation demand could fit the reconstructive bill of a formal concept, since Williams shies away from defining what counts at legitimate legitimation, so to speak, and instead only leaves the formal model of a demand for legitimation in place.

However, it is equally true that the reconstructive method also maintains the possibility of extrapolating from such factual grounds truly transcendent normative content which can serve as invariant points of reference for making critical evaluation of the present state of affairs. This sort of transcendental thinking goes to the heart of Williams' original critique of political moralism and as such stands in direct opposition to Williams' realism. Moreover, the reconstructive method maintains the possibility that it can identify which achievements in the history of social development can be seen as increases in moral knowledge. We will recall that Williams explicitly thinks that political moralism is unable to explain why the historical path that led to the liberal tradition and the conception of people as free and equal amounted to "an increase in moral knowledge" in the absolute sense. Here, Williams insists that such a claim can

only be made within the tradition or context of a specific historical deposit (that of liberalism). The reconstructive method sharply contrasts Williams on this point, I would argue, as it makes use of a conception of moral progress and indeed claims to be able to reach and explain it. In this way, the reconstructive method follows Williams in finding its normative content from context-immanent analysis – but sharply departs from him in introducing the idea of moral progress and invariant or transcendental standards of critique; or, to be exact, quasi-transcendental standards, since the possibility of falsifying such reconstructed standards is admitted.

In terms of the questions of foundations for normative theory and the divide between Rorty's anti-foundationalism and McCarthy's rejection thereof as well as Cooke's description of a social philosophy with foundations between contextualism and objectivism, it is clear that the reconstructive method shares with Rorty the conviction that an epistemic approach to morality can be allowed to influence the normative content of political theory. I also believe that the reconstructive method shares with Rorty the idea that "criticism of one's culture can only be piecemeal and partial"(Rorty, 1980: 179). At least, in the specific sense that the criticism stemming from the reconstructive method recognizes the *transitional* nature of reaching justice through incremental steps (any theory which draws on history and identifies gradual normative achievements therein must necessarily share this idea).

Finally, the reconstructive method certainly shares with Rorty the ambition of looking to "social practices" (which we must take to include language, beliefs and norms) as a basis for formulating critical evaluative standards. However, this is probably as far as any congruence between Rorty and the reconstructive method can be forced for, as we saw McCarthy explain, Rorty wants to completely escape any philosophical notions of finding some "unconditioned" normative content from social practices which could serve as invariant points of reference for social critique. This stands in diametric opposition to the critical ambition of the reconstructive method, which, as we saw McCarthy explain, posits that we can accept that our notions of truth, objectivity, reason, etc., come to us from a particular context, while also holding onto the idea that they have a "surplus of meaning" that gives them their critical potential. That is to say, that normative content can be found context-immanently, which exceeds its contextual origins, and that this excess or surplus makes it (quasi-)transcendent. So rather than abandoning the idea of the unconditioned or the transcendental critique, reconstruction seeks to, in McCarthy's words, "recognize the idealizing elements intrinsic to social practice and build on them" (McCarthy, 1992: 259).

Not surprisingly, since Habermas, Honneth and Forst all belong to the general mode of reflection which Cooke describes as social philosophy, the reconstructive method shares almost all of Cooke's assumptions about the possibility of grounding normative theory between context and objectivism.[14] I will in Chapters Three and Four examine exactly how this is done in Habermas and Honneth. There, I spell out the role that the kind of social learning process Cooke describes plays in Habermas and Honneth's reconstructive methods. I do so by equating the idea of social learning to, what I argue are, the teleological premises in both Habermas and Honneth. I believe their ideas of a transcendent concept of progress must be seen as part of a social learning process that sees certain normative developments as achievements rather than arbitrary events, and makes use of these as the basis for critique. This notion of progress keeps its transcendent properties, since it *itself* constitutes an achievement or learning outcome (something we have become reflexively aware of through reconstruction).

[14] Though it must be said that Cooke – while herself greatly influenced by Habermas – has substantial critiques of both Habermas and Honneth's actual attempts at reaching such a foundation (Cooke, 2004).

Chapter Two

Recursion in the normative realm

I first stumbled upon the concept of recursion in my reading of Forst, who himself imports this idea from Onora O'Neill, Habermas and Karl-Otto Apel (Forst, 2002: 189; O'Neill, 1989: 27; O'Neill, 2000). As I began to look into the concept more broadly, I started to realize that a more expansive exploration and application of this concept might help critical normative theory in certain important aspects. To reiterate, the argument of this thesis is that the property of recursion allows normative critical concepts to make evaluations about permissibility of political action and social orders – while also avoiding the kind of normative determinism that would follow from restricting the spectrum of future permissible political action. And further, that recursion also contributes to our understanding of how to ground normative political theory. Here, recursion explains how it is possible to have an epistemic awareness of the contextual situatedness of some specific critical concepts' own normative foundations without this insight leading us to abandon the pursuit of finding evaluative standards that are non-arbitrary and universally applicable, i.e., objective. This thesis proposes that such a foundation should be understood as recursive grounding.

But in order to apply the concept of recursion to normative political theory, it will be helpful to first define it and give a brief introduction to its uses in other disciplines. As can be seen below, recursion is a concept with many and often overlapping definitions. It is therefore important to arrive at a clear definition in order to avoid misunderstanding or suspicion from other disciplines in which the concept has thus far been used more naturally. The aim of this chapter is to extract from these uses and definitions what I identify as the three key properties of recursion: self-reference, self-embedding and the capacity for producing multiple outputs from a single rule. The point of this exercise, in turn, is to arrive at a workable definition of recursion such that I can use it analytically to identify, compare and contrast recursion in the concepts of formal pragmatics, justification

and recognition. That is, to import the idea of recursion into the normative sphere – and show how recursion is fundamental to the critical function of these concepts in a similar way.

At the end of this chapter I will sketch out where I see recursion in these concepts and how it works in them. This is done by presenting the processes that these concepts describe in diagram form. There, I interpret what actually goes on when we try to reach mutual understanding in formal pragmatics; when we try to claim our right to justification of some norm, practice or institution; or when we struggle for recognition – through the use of so-called recursive transition networks. I will elaborate on the recursive properties in these critical concepts in the separate chapters dedicated to this purpose. It is the overall claim of this thesis that it is exactly those recursive properties that give these critical theory concepts their potency and validity. The recursive properties make them suitable as fixed-yet-flexible evaluative points of reference, appropriate for meeting the challenges posed to normative political theory by a twenty-first century political landscape defined by increasing truth pluralism and value incommensurability. In short, the recursive properties of these critical concepts, I argue, make these kinds of evaluative standards the right ones for our time.

Key recursive properties

Before we get ahead of ourselves, this chapter identifies three core properties of recursion by looking at how recursion is used in a variety of disciplines. These three core properties are derived from the many uses of recursion presented in this chapter. While these three properties arguably capture distinct dimensions of the concept of recursion, it is also clear that they have somewhat fuzzy boundaries and that a certain overlap between them exists. Such overlap is of course to be expected any time one phenomenon is broken down into different dimensions, since they are dimensions of the same thing. In the following illustrations of recursion – as well as in the application of recursion to normative concepts – many such overlaps are inevitable. With this in mind, the properties of recursion are:

1. The property of *self-referentiality.* It is the defining aspect of recursion that it denotes something that refers to itself. This capacity for self-reference thereby also implies the recursive trait of being a *self-calling procedure*. A procedure, or series of steps, is recursive when one of the steps in the series is an exact copy of the overall series. The very nature of something referring to itself –

by pointing to an exact copy of itself – is procedural, since it takes place as a series of steps.

2. The property of *self-embedding or nesting*. It is a recursive feature when a system has the capacity to replicate itself and nest or embed such replicas within itself. In order for a procedure to be recursive, the self-copies that allow for procedural self-referentiality must necessarily be inserted into the overall system. Self-embedding refers to this capacity. It follows from this recursive capacity that a potentially very complex web of self-referentiality arises. An important part of recursion is therefore the ability to keep track of the many self-copies by creating levels amongst copies and *ordering them hierarchically*. In a recursive procedure, hierarchical ordering means that we never lose sight of the initial step of the procedure (which self-referentially points to a copy of itself, which then also calls itself via a new self-embedded copy, and so on).

3. The property of *multiple outputs stemming from a single rule or source*. Finally, it is also definitive of recursion that the output produced (such as the creation of hierarchies amongst self-referencing copies), no matter what it may be, can be traced back to originating from a single recursive rule. The many copies created in this manner will always mirror a fundamental recursive rule that is contained therein. Following from this, a recursive procedure is in principle *able to produce infinite outputs from a finite input*. This means that there is no pre-fixed limit to how many different expressions can result from 'running' the recursive rule or procedure in question. In other words, there is an open-endedness not only to the run-time of some recursive procedure, but also to the variety of results it produces. As a result of this recursive property, running a recursive procedure results in *an expansion of information*. Whatever the outcome of the recursive procedure in question might be, it always adds to and expands the existing reservoir of meaning or information. Every time a recursive procedure runs, more information is added to the recursive system in question, such that its complexity increases.

At this point, the above operationalization of recursion is of course still quite abstract. In the following chapter each of these properties will be explained by examining the use and definition of recursion along these properties in other studies from different fields. We can, however, already outline how recursion thus understood applies to the normative domains by cursorily showing what is recursive about formal pragmatics, justification and recognition.

The most important point, I will argue, is that these concepts share the property of setting up a normative rule that can create an infinite amount of expressions while still remaining in place. This is important because it is exactly this property that prevents a normative closure and mere reproduction of the status quo. That is to say, the rule – while still functioning as a normative rule because it designates some expressions as acceptable and others as non-permissible – does not in principle preclude an infinite amount of hitherto unimagined expressions. Or positively stated, it allows for endless interpretations and re-interpretations as long as they are within the bounds of the rule. What will be considered a justified norm, for instance, can vary endlessly over time – but the structure of how we make such determinations (how we understand what counts as good reasons for it) remains fixed.

In addition to this recursiveness, the concepts also share the recursive properties of self-referentiality and self-embedding. In the discursive validation procedures common to these concepts, further rounds of the same procedure can always be initiated within the same process. And at the same time, the results and arguments used in previous rounds is always available to the participants. When, for instance, we demand recognition for our particular identity, we do so with reference to the fact that the general principle of recognition can always be called upon for our particular circumstance. And in making our demand for recognition, we have access to and can make use of previous instances where the general principle of recognition was interpreted and applied to other particular identities. There is, in other words, a normative surplus in these concepts, which I will argue is best understood as recursive.

The social-scientific background of recursion: feedback and systems theory

The idea of using feedback and causal loops to understand and explain social reality has a long history in the social sciences (Richardson, 1999; Jervis, 1997: 125–76), especially within the tradition of system-theoretical approaches. The idea of recursion, which will be examined in this chapter in order to apply its properties to normative political theory, is an important part of this kind of thinking. That is to say, you can have a feedback system without recursion, but you cannot have recursion without feedback. Some conceptual clarification and historical background to the feedback idea in social science is therefore helpful in order to set the stage for applying recursion to normative political theory.

Feedback can be defined as interdependence between two or more variables in a system exhibiting circular causality: "The essence of the concept […] is a circle of interactions, a closed loop of action and information. The patterns of behavior of any two variables in such a closed loop are linked, each influencing, and responding to, the behavior of the other" (Richardson, 1999: 1). As George P. Richardson shows in his analysis of "feedback thought" in the social sciences and systems theory, the inspiration for using the concept of feedback to explain social systems was drawn from late eighteenth-century engineering theory (Richardson, 1999: 17–25). The most prominent example thereof is James Watt's self-regulating steam engine, which utilized its own output to govern the speed of the engine and keep it steady. This process was only theoretically explored in the late nineteenth century with James Clerk Maxwell's mathematical description of such governing (Richardson, 1999: 24).

In the social sciences, and around the same time as Watt, both David Hume and Adam Smith worked with a similar idea about self-governing systems by discovering the concept of the self-equilibrating economy (Richardson, 1999: 59). One of Smith's many examples of such self-equilibrating behavior in the economy is the well-known idea that in a free market supply quantity of a commodity will eventually equal demand quantity (Richardson, 1999: 61). These two very different eighteenth-century scientific traditions share a focus on circular causality, where the variables of the observed phenomenon either positively or negatively reinforce each other. Expressions of this general idea can be found throughout much of subsequent modern social scientific literature though notions such as vicious or virtuous circles, self-fulfilling prophecies, homeostatic processes, etc. Defined in this very broad sense, the feedback idea can – to mention just a few – be seen in scholarship as diverse as Hegelian/Marxist dialectics, Bertrand Russel's meta-logical set-theory, John Dewey's psychology and in twentieth-century cybernetics (Richardson, 1999: 71; 56; 77; 94).

In political science, the two most prominent examples of using the concept of feedback to explain the political world can be found in Karl Deutsch and David Easton (Easton, 1965). In Deutsch's *Nerves of Government*, society is seen as an information structure and government as a self-steering system trying to attain its goals by adapting to the feedback of information it receives (Deutsch, 1963: 185). As shown in Figure 1 below, Easton's *Systems Analysis of Political Life* displays a very similar understanding of the political as an input-output system (Easton, 1965). Here, the political system is located in an environment "and subject to possible influences from it that threaten to drive the essential variables of the system beyond their critical range" (Easton, 1965: 33). In order to maintain its

integrity when confronted with inputs from its environment (demands or support), the system can react with outputs (decisions and actions) of its own. The crucial feedback element in the model is shown by the arrow looping outputs through the environment back into inputs. Here, members of society react to the outputs of the political system. Information about these reactions and any translation of such reaction into new demands and/or support is fed back into the system (whereupon a new round begins) (Easton, 1965: 28–9; for a more detailed treatment of feedback in Easton and Deutsch, see Richardson, 1999: 204–227).

While the feedback system in Figure 2 lacks recursive properties (since it does not include all the recursive properties listed above), it does contain the notions of learning and memory. These are an important part of what Easton calls complex feedback, i.e., that the system is capable of adding its looped information to its store of knowledge, such that it can draw on this expanding base in order to make (better) decisions (Easton, 1963: 369). I believe that this notion of learning through feedback is a central property of the kind of normative critical theory I am here investigating. Indeed, as I will explain further, it is part of the dynamic rather than static nature of formal pragmatics, justification and recognition that each round of discursive validation adds new knowledge to the existing reservoirs or stores of knowledge – of truth, sincerity and rightness in Habermas; good reasons in Forst; and identities in Honneth.

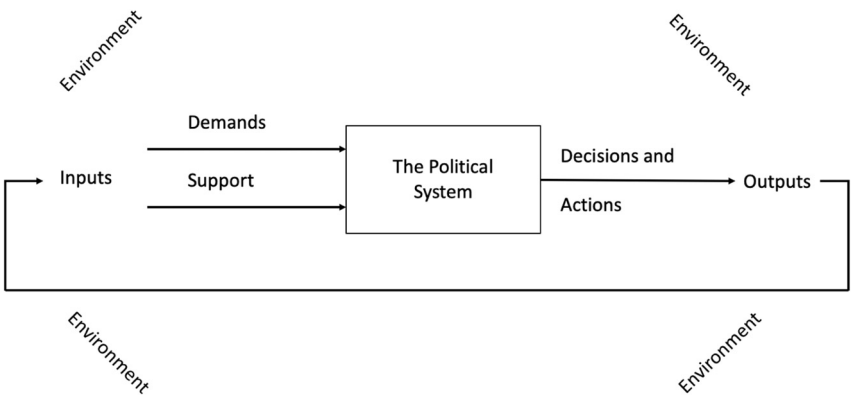


Figure 2. David Easton's "simplified model of the political system" (see Easton, 1965: 32; also 378–81).

The model serves as a good introduction to the use of feedback visualization in order to explain social systems by showing the looped connection between output and input. For the present purpose of looking at recursion, the model lacks properties of self-referentiality or nesting and hierarchical ordering of such constituents of the same kind. It is to this idea of recursive feedback I will now turn.

The idea of recursion in general

The idea of recursion has been taken up and used in a wide variety of academic disciplines.[15] To give an idea of the extent, Michael Crozier has found it in such fields as mathematics, logic, linguistics, music, computer science, organizational theory and economics (Crozier, 2007: 4). Similarly, Mauricio Dias Martins, Bruno Gingras, Estala Puig-Waldmueller and W. Tecumseh Fitch have found empirical work that locate the presence of recursive structures in visual art, visuo-spatial processing, music, architecture, humor, theory of mind, problem solving, action sequencing, syntax, phonology, pragmatics, conceptual structure, mathematical proofs, natural numbers and arithmetic operations (Martins et al., 2017). Further, in the human and social sciences, L. Rudolph – having explored academic publications from the 1940s to the 2000s – found recursion being used in anthropology, economics, psychology, human geography, human ecology and consciousness studies, sociology, political science and education theory (Rudolph, 2015: 40). Rudolph traces a genealogy in the human and social scientific use of recursion to the base cases of early mathematics, modern mathematics, cybernetics and general systems theory (Rudolph, 2015: 40). With such a wide use across so many different academic disciplines, it is clear that an assumption of definitional homogeneity would be ill-advised. Indeed, as Rudolph explains, some uses within the human and social scientific disciplines do indeed directly contradict each other (Rudolph, 2015: 44). Given this situation, it will therefore be wise to spend some time defining the concept and providing a few examples of recursion before applying it to normative political theory.

Starting etymologically, the English word *recursion* stems from the Latin *recursio*, which comes from *recurrere*, meaning to run back (*re* meaning again or back and *currere* meaning run) (Oxford Learners' Dictionary, 2020). If we try to get a hold

[15] The examples given here are not meant to constitute an exhaustive list of all scientific or academic uses of the concept of recursion.

of the word recursion using dictionary definitions, we find that the Oxford Learners' Dictionary defines the term as "the process of repeating a function, each time applying it to the result of the previous stage" (Oxford Learners' Dictionary, 2020). Here, recursion is defined as an expanding process, since the output of each performance is added to the base function before the process is repeated. Note that this definition implies the possibility of an infinite amount of repetitions of the process. Meriam-Webster, on the other hand, offers a definition that stresses the finite characteristic of recursion. Here, recursion is first and more generally defined as "the determination of a succession of elements (such as numbers or functions) by operation on one or more preceding elements according to a rule or formula involving a finite number of steps" (Meriam-Webster, 2020). In this definition it is the result or determination of the recursive operation that is highlighted, which necessarily means that there must be an end to the amount of repetition. Already, some confusion seems to arise from the dictionary definitions – which is it: infinite or finite?

As it happens, both definitions make sense, but at different levels of explanation. The Oxford Dictionary correctly captures the *theoretical* possibility of an infinite recursive process. But Meriam-Webster also correctly emphasizes the *practical* limit to any recursive process whenever such a process is applied in the real world where a result is eventually required. Recursive processes are thus infinite in theory but must necessarily also have the possibility of reaching finite determinations when applied, at least in any social-scientific domain – this might not be the case in a purely mathematical setting. Additionally, Meriam-Webster's entry includes a second definition which captures another fundamental aspect of recursion at this general level, namely self-referentiality. In a more specialized definition from computer science, recursion is understood to be "a computer programming technique involving the use of a procedure, subroutine, function, or algorithm that calls itself one or more times until a specified condition is met at which time the rest of each repetition is processed from the last one called to the first" (Meriam-Webster, 2020). What is important here is the notion that the recursive procedure "calls itself," meaning that it is capable of referring to itself when it runs. In this sense, the rule for the procedure is not external to the outcome of the procedure. Rather, the outcome contains the rule, so to speak, until some specified condition is met and the procedure terminates.

Moving on from such dictionary definitions, various definitions can be found within specialized academic fields working with recursion. Together, the following definitions contain all the properties of recursion that I will suggest are of use in a normative political theory context. These are (besides the properties of

self-referentiality and the increase of knowledge and complexity we saw in Easton's feedback system): procedural self-calling, embedding or nesting, the ability to create expanding hierarchical levels and self-referentiality, as well as the capacity to create infinite outcomes from finite means or a single rule.

Within linguistics, Margaret Speas defines recursion as a procedure: "A recursive procedure is one that can apply its own output" (Speas, 2014: x), meaning that the procedure does not end after it has been carried out, but rather adds its output to its own procedure, either infinitely or until some terminating condition has been met. Steven Pinker and Ray Jackendoff work with a similar procedural definition, stating that "recursion refers to a procedure that calls itself, or to a constituent that contains a constituent of the same kind," adding that true recursion in theoretical computer science means that "a procedure invokes an instance of itself in mid-computation and then must resume the original procedure from where it left off" (Pinker et al., 2005: 203; fn. 1). Here, the output that is added to the procedure in Speas' definition is further specified to mean that the procedure self-replicates within itself. As psychologist Michael C. Corballis notes, it is important to keep in mind that this self-replication can refer to replication of "constituents of the same *kind* – a process sometimes known as 'self-similar embedding'" (Corballis, 2011). In language, for instance, sentences can recursively be embedded within sentences, such that all these sentences are of the same kind without being exact replicas. Self-replication within itself is also what Martins et al. (2017) refer to when defining recursion as "the ability to embed structures within structures of the same kind." In an influential article within linguistics, Marc D. Hauser, Noam Chomsky and W. Tecumseh Fitch take recursion to be the core property of the abstract linguistic computational system underlying the faculty for language. They define recursion as the ability to take "a finite set of elements [and yield] a potentially infinite array of discrete expressions" (Hauser et al., 2002: 1571).

In a rare example of recursion used within political science, Dobuzinskis defines his cybernetically-inspired concept of recursion by emphasizing the idea of "nesting": "The inclusion or 'nesting' of an operation within itself is the defining characteristic of a recursive structure" (Dobuzinskis, 2019: 52; see also Dobuzinskis, 1992). The language of nesting is imported from computer science, where it refers to a sub-program that contains a copy of the master program, such that the master program is effectively nested within itself. In sociology, Robert Platt similarly points to "embedding" in self-referential relationships as defining for recursion: "'recursion' is the name given to a relationship of self-reference in which related parts are embedded in, or stacked upon, each other in a form that

may be either infinitely self-reproducing or not" (Platt, 1989: 638). Finally, physicist and cognitive scientist Douglas Hofstadter describes the essence of recursion as "something being defined in terms of simpler versions of itself" and as "a process in which new things emerge from old things by fixed rules" (Hofstadter, 1999: 152). Hofstadter sees something like an infinitely long Fibonacci number-sequence,[16] where each number in the series is the sum of the previous two, as a perfect example thereof, since "it can be generated from a set of starting points (axioms), by the repeated application of rules of inference" (Hofstadter, 1999: 152).

Some illustrations of recursion: in language

At this point, it might be useful to introduce some more informal uses and illustrations of recursion in order to make the above-mentioned more technical definitions come to life in the reader's mind. Language and sentences offer a good way of illustrating the basic characteristics of what is going on with recursion. Both Corballis and Beckstead offer the following humorous "dictionary" definition of recursion (Corballis, 2011: 2; Beckstead, 2015: xii):

> Recursion (ri-kur'zhen) *noun*. If you still don't get it, see *recursion*.

Similarly, if you Google 'recursion', Google will provide you with the suggestion: "did you mean: *recursion*" – as a hyperlink which essentially reloads the query when clicked. In both of these examples, the word *recursion* is used to send the gullible reader into an infinite recursive loop. This is the case because in both cases recursion refers to itself ad infinitum. This is the same kind of recursion found in Epimenides' famous paradox (the liar's paradox). Epimenides, himself a Cretan, is said to have stated that "all Cretans are liars." Here, it becomes impossible to decide whether the statement is true or false, because the statement refers to itself recursively. The statement seems false since Epimenides himself is a Cretan, but then that means that the statement is not a lie and thus true, which means that the statement is a lie, and so on indefinitely (Richardson, 1999: 55-6).

While these examples display characteristics of self-reference and looping, they stop short of showing increased complexity and change (by the embedding of constituents within constituents of the same kind in hierarchical levels), but we can use sentences to illustrate what this would look like. It is easy to imagine, for

[16] An example of a Fibonacci sequence: 0, 1, 1, 2, 3, 5, 8, 13, 21, 34, 55, 89… The next number is found by adding up the two numbers before it (a recursive rule).

instance, how an ever-increasing amount of words can be embedded within a single sentence. This capacity to increase the complexity of sentences by adding word-units to them has been called the generativity inherent to language and the human faculty for it (Corballis, 2011: 20). Corballis gives the example of the British nursery rhyme *This is the House That Jack Built* (Corballis, 2011: 20). It goes:

> This is the house that Jack built.
> This is the malt that lay in the house that Jack built.
> This is the rat that ate the malt that lay in the house that Jack built.
> This is the cat that killed the rat that ate the malt that lay in the house that Jack built.
>
> This is the dog that worried the cat that killed the rat that ate the malt that lay in the house that Jack built….

If we take this nursery rhyme to be a single story or sentence, we see how we can keep adding layers to the same story, thereby both changing it and increasing its complexity.

In the above example, the increased complexity and hierarchical structure is the product of a rather poetic mind. But we can make the same thing happen with sentences in a much less poetic way by simply introducing a rule. If we, for instance, have the four noun phrases: *the man, the car, the sun, the sky*, we can increase the complexity of these noun phrases by introducing the rule 'embed the preposition *beneath* between each pair of noun phrases.' We would then get the more complex: *the man beneath the car, the sun beneath the sky*. Corballis gives the following example (from Chomsky and Fitch) of how we can merge words into phrases, and phrases into sentences: "articles such as *a, the, this, that*, etc., can be merged with nouns, such as *cat, dog, tree, lake*, and so on, to create noun phrases, such as *a dog, that dog, the lake*, *this tree*, and so on. These can be merged with prepositions, such as *by, near, beside*, and so on, to create more complex noun phrases, such as *near the tree, the dog besides the lake, a cat by that tree*, and so on" (Corballis, 2011: 23; 6). These sentence examples show the generative capacity of language, and, according to Corballis, our minds. The sentences thus highlight the characteristics of increased complexity (longer sentences with more meaning) and hierarchical structures (the house precedes the malt, which precedes the rat, which precedes…). We also see from these examples the potential for infinitely long recursive processes. Only memory, time or exhaustion stop us from expanding these sentences.

With these illustrations in mind, we can proceed to some more elaborate explanations of recursion from the specialized literature. I will start by presenting Martins et al.'s (2017) explanation of the recursive ability to create hierarchical levels. I will then move on to present Douglas Hofstadter's (1999) recursive transition networks in language as an example of how to understand the recursive idea of a procedure that self-referentially contains itself. Finally, I will present Laurent Dobuzinskis' (2019) ambitious translation of recursive processes to the individual, social *and* normative level.

Some illustrations of recursion: cognitive hierarchical recursion

Even from the dictionary definitions we can infer that different levels or stages are involved in the concept of recursion as a process. Here, the recursive procedure runs some specified amount of times, each time adding to itself before repeating, thereby creating distinct stages that refer to themselves in the procedure. Within cognitive science, Martins et al. have built on this specific feature and stress the creation of hierarchies among these stages as the central property of recursion. Thus, they define recursion as the capacity of a procedure to produce a potentially infinite amount of hierarchical levels all stemming from the same source. In their work, recursion is hypothesized to be the pivotal trait in human cognition, which allows us to generate visual, social, linguistic and action hierarchies. Recursion is here understood as "the ability to embed elements within elements of the same kind" as well as "a particular principle to represent and generate hierarchies which allows the generation of multiple levels with a single rule" (Martins et al., 2017).

Martins et al. illustrate this hierarchical definition in Figure 3. Here, two types of rules are presented, both of which generate hierarchies, but only one of which is recursive. The first rule (A) is non-recursive and stipulates that another C is added at the existing level under each B. While the hierarchy is maintained and expanded by this rule, the procedure is simply iterative, since it just repeats itself. New rules such as 'add Ds under each C' would be required in order to expand the hierarchical structure. The second rule (B), on the other hand, is recursive, since the same rule can here create an infinitely expanding hierarchy. Rule B, which says that three Φs must be added to a new level under each Φ, requires no new rule-specification in order to embed elements within elements of the same kind. What is important here is that while an infinite expansion might be allowed with such a recursive rule, the initial hierarchy is always maintained. In other words, this recursive rule can create hierarchies within hierarchies without losing track of

how each level of the hierarchy relates to the other, always ordering them in stages from the initial top to the latest bottom.

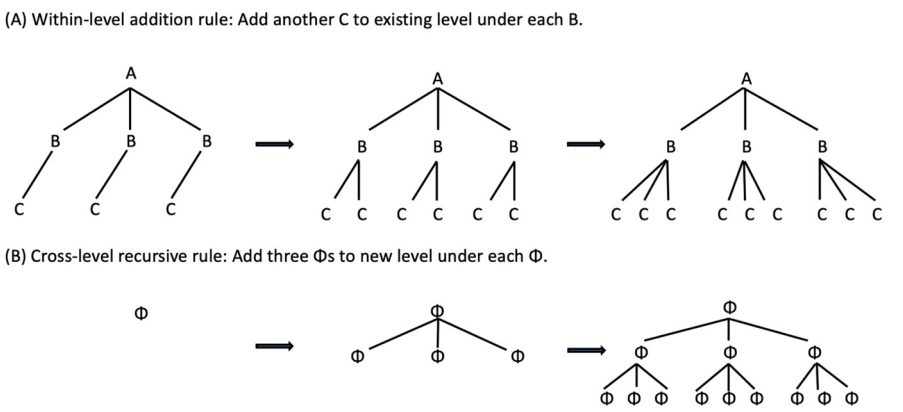


Figure 3. The figure illustrates two procedures for generating hierarchies. One non-recursive (A) and one recursive (B). (A) is an iterative procedure that expands on the existing level by adding Cs. An additional rule would be required in order for a new level to be generated, e.g., 'add a D under each C.' (B) is a recursive procedure. Here, the same rule generates an infinite number of hierarchical levels. The use of the Φ symbol represents an abstraction: namely that there is a similar nature to the relation between different levels in the hierarchy. In this way, each Φ represents constituents of the same kind, differentiated only by their position in hierarchy. (From Martins et al. (2017).)

According to Martins et al., the greater level of generative power found in recursion – that an infinity of hierarchies can be produced from the same rule – stems from the human cognitive ability to generate representations at very high levels of abstraction. Human beings are capable of recognizing that the kinds of relations A → B, B → C, C → D, etc., are actually similar at a higher level of abstraction. While at the level of their own contexts, A's relation to B might very well be qualitatively different from B's relation to C (since A is different from B, which is different from C), each relation can be formalized at a higher level and abstractly be thought of as similar through the representation Φ → Φ (where Φ is a general representation of A, B, C, etc.) (Martins et al., 2017). It is this kind of abstraction which allows the "generation of multiple levels with a single rule," as per Martins et al.'s definition of recursion, since it allows us to cognitively move beyond the narrow context of what is concretely represented and imagine infinite continuations. This cognitive ability can be illustrated by a child who learns how to count. Initially the child is constrained by the final number she memorizes in a sequence, having learned, for instance, to count to one hundred. But at some

point, she realizes that she can abstract from this finite sequence and imagine an infinite continuation.

Some illustrations of recursion: Hofstadter's recursive transition networks

Douglas R. Hofstadter's 1979 book *Gödel, Escher, Bach* is, in a nutshell, an attempt to explain how mind and consciousness can emerge from inanimate matter (Hofstadter, 1999: P-2). The book is wholly original in its structure and ideas, merging mathematics, logic, physics, music, art, analogies and language, amongst other things, into a coherent narrative. Central to Hofstadter's story is the core thesis that "Gödelian strange loops or level-crossing feedback loops […] are essential to understanding how consciousness works" (Hofstadter, 1999: P-8). While this, the question of consciousness, undoubtedly lies beyond the scope of our present purpose – which is to explore normative political theory in terms of recursion – Hofstadter supplies several explanations of the recursive nature of these strange loops that will here be of use. In the following I will especially focus on Hofstadter's exploration of what he designates recursive transition networks (RTN). Hofstadter uses these RTNs to describe how recursive loops in language as well as in mathematics, physics and chess work. This makes them particularly useful in relation to transferring their explanatory power to normative political theory – insofar as, both at the level of theory and political praxis, it describes procedures of discursive validation.

Following Hofstadter closely in the ensuing section, an RTN is a diagram that describes the paths available for the performance of some task (Hofstadter, 1999: 127–134). Figures 4 and 5 are both RTNs. In these examples, the task is to create a noun phrase (which could be used in a sentence). The name of the RTN is specified on the left-hand side of the diagram. The RTN diagram consists of a number of nodes, or boxes, connected by directional arrows. Each RTN first has a *begin* node on the left and ends with an *end* node on the right. Between these are any number of other nodes containing explicit directions which must be followed in order to achieve the overall task. Importantly, these nodes can also contain other RTNs, which is where the possibility of recursion comes into play. The rules of the RTN are that you start at the *begin* node and carry out all the directions of the nodes you encounter (such operations are called procedure calls) until you reach the *end* node. If you reach a node containing another RTN, you jump to that RTN and only return to the position you were at in the original RTN once the task in the secondary RTN is completed (Hofstadter, 1999: 131).

Figure 4 is an illustration taken directly from Hofstadter of how this works for the creation of noun phrases, which could be used in sentences, which could then be used in paragraphs, which could then be used in sections, and so on. It contains an RTN for the creation of an ornate noun phrase (a) and an RTN for the creation of a recursive, or in Hofstadter's terminology fancy, noun phrase (b). It is only with the fancy noun RTN (b) that we encounter recursion, since one of the nodes here contains the direction 'fancy noun.' This RTN thereby contains itself. But before getting to the mechanics of this, we need to understand how the non-recursive ornate noun RTN (a) works.

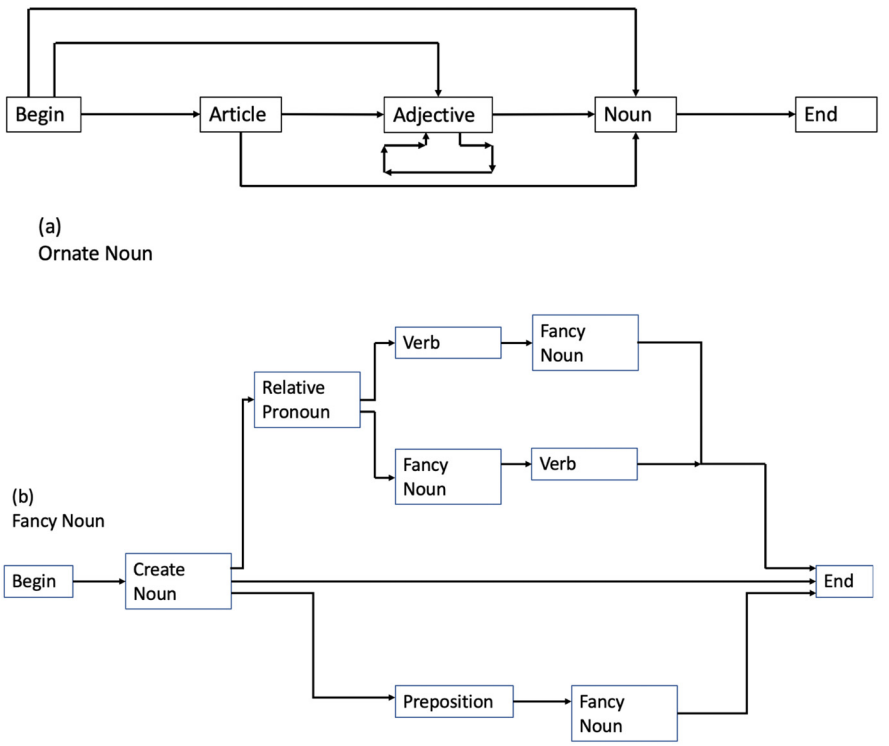


Figure 4. Recursive transition networks for sentence creation (Hofstadter, 1999: 132).

As we can see, the ornate noun RTN (a) contains three nodes, *article*, *adjective* and *noun*. Each of these nodes constitutes, as we will recall, a direction or task needed to be carried out before we can continue, also known as a procedure call. Every time we encounter such a node, we temporarily stop in our tracks and let the procedure call carry out the task at hand. In this case the task is to pick any

article (the, a, an), adjective (green, soft, large, etc.), or noun (deli, car, woman, etc.) from the catalogue of such articles, adjectives and nouns available to us. When each task is done, we continue to the next node in the direction of the arrows. If we go through the RTN (a) via the most direct horizontal line connecting all the nodes, we could, for instance, end up with noun phrases with an article, an adjective and a noun, such as 'the green deli' or 'a soft car.' Note that the arrows allow for different outcomes, such as the production of either only a noun, a noun and an article or a noun and an adjective, as well as other combinations.

With the way these RTNs work in mind, we can now move on to the recursive RTN (b). Here, we see the inclusion of new nodes with new procedure calls. Now, besides the node *ornate noun*, we also have nodes calling for the creation of a *verb*, a *preposition* and a *relative pronoun.* Additionally, this RTN includes a copy of itself, as the node *fancy noun* is included. The fancy noun RTN (b) always starts with the node *ornate noun,* which means that when we reach this node, the procedure call jumps out of fancy noun RTN (b) and carries out ornate noun RTN (a). Once this is done, we return to where we left off, this time carrying with us the outcome of the ornate noun RTN, say 'the green deli.' If we proceed in the highest direction allowed by the arrows, we are asked to stop and produce a relative pronoun (that, which, who, etc.), a verb (stood, walked, slept, etc.) and another fancy noun phrase:

Begin → ornate noun → relative pronoun → verb → fancy noun → end

This series of procedure calls could, before we reach the node *fancy noun*, produce the sentence 'the green deli that stood.' But now recursion happens, since the procedure call for the next node is *fancy noun*. In other words, we are called on to perform a copy of the very same RTN we are in the middle of performing. In order to handle this, we now create a hierarchy by noting the position we reached in our original level. With this in mind, we then carry out the RTN *fancy noun* at a lower level. This time the path could be the lowest available, which contains the node for prepositions (in, up, through, etc.):

Begin → ornate noun → preposition → fancy noun → end

When we perform this RTN we might end up with the sentence 'a dull task in,' before reaching yet another recursive node calling for yet another *fancy noun* procedure call. Once again, we deal with this complexity by making a note of the position we reached and at which level we were, before carrying out the new fancy

noun RTN. For simplicity's sake, we can say that this third round of fancy noun production hits the simple middle path:

Begin → ornate noun → end

This RTN might produce the ornate noun phrase 'an apple.' Now we have finally reached a stage without a recursive self-call. This is called 'bottoming out' and it is what allows us to jump back up through the levels and carry on from the positions we reached at each stage. As Hofstadter explains, what distinguishes a recursive definition from a circular ditto is that the former must contain a path without self-reference, such that it is possible to complete the task rather than going on indefinitely (Hofstadter, 1999: 133). Since we kept track of where we were in each RTN, we can illustrate our journey through the three levels as such (where the underlined node represents the position we reached in each level before jumping – corresponding to a missing noun phrase to be filled out at a lower level):

Level 1: Begin → ornate noun → relative pronoun → verb → <u>fancy noun</u> → end
The green deli that stood _____

Level 2: Begin → ornate noun → preposition → <u>fancy noun</u> → end
A dull task in _____

Level 3: Begin → ornate noun → end
An apple

Having completed level 3, we jump back up to level 2. Here, we find no remaining nodes, and so we jump back up to level 1. Here again we have no missing nodes – and so finally the tour through the fancy noun RTN (b) ends with the (rather meaningless) sentence: 'The green deli that stood a dull task an apple.' If we wanted to make sure that we would end up with a meaningful sentence, we would have to introduce some parameters for how we choose our articles, nouns, verbs, etc., as well as parameters for the correct ordering of these. In the above RTN we (seemingly) choose at random. Such an RTN with parameters is called an augmented transition network (ATN) (Hofstadter, 1999: 150).

The above recursive RTN (b) example is quite a beautiful diagram of all the earlier properties of recursion in action. First off, we have an example of procedural self-calling, where the procedure applies its own output to itself. This was illustrated when each level of the RTN included an output that was a node commanding a

copy of itself. Recursion occurred because we did not stop after each such command, but included them in a continued running of the procedure. Second, we have an embedding of constituents within constituents of the same kind. This was illustrated by the inclusion of a fancy noun phrase, within a fancy noun phrase, within a fancy noun phrase. These were all *of the same kind,* but not exactly alike. Third, we have the ability to create expanding hierarchical levels. This was illustrated by our jumping between levels. Though we created exact copies of the RTN, we always kept track of which level we had reached before starting the copy procedure. This enabled us to remember that each new copy was at a lower level in a hierarchy that would determine the final output of the procedure. This hierarchical ordering is what enabled us to distinguish between constituents of the same kind. Fourth, the RTN was self-referential. This was illustrated by the fact that the direction for how to carry out the procedure call for the node *fancy noun* was contained in the overall diagram of the first level RTN, i.e., its arrows and structure. Fifth, the RTN displayed a capacity to create infinite outcomes from finite means in the form of a single rule. This was illustrated by the fact that the, relatively speaking, simple initial diagram and its rules made it possible to repeat the procedure endlessly, since there was no requirement but only a possibility for bottoming out with a route through an RTN that did not include a recursive call on itself.

Besides self-referentiality and embedding, the recursive RTN (b) example also showed the recursive characteristic of increased complexity. Clearly, the procedure resulted in a change from the initial state, as a sentence was created. It seems equally clear that the procedure increased the complexity as the sentence grew longer. Finally, we also saw the idea of parts and a whole being represented and changing together.

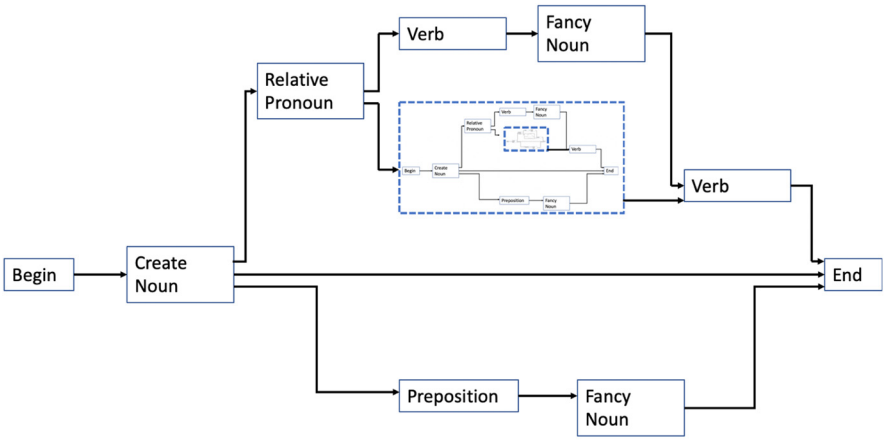


Figure 5. Recursive transition network for sentence creation with embedded recursive node.

Figure 5 shows Hofstadter's own graphic illustration of how to summarize an RTN. As Hofstadter explains: "One graphic way of thinking about RTN's is this. Whenever you are moving along some pathway and you hit a node which calls on an RTN, you 'expand' that node, which means to replace it by a very small copy of the RTN it calls. […] Then you proceed into the very small RTN!" (Hofstadter, 1999: 134). Figure 5 is a copy of the fancy noun RTN (b) in Figure 4, except one of the *fancy noun* nodes is graphically substituted with a copy of the initial RTN. If we kept zooming in on the copies, we would keep discovering layers upon layers.

Some illustrations of recursion: recursion in the self-organizing polity

In his 1987 book *The Self-Organizing Polity*, Laurent Dobuzinskis (2019) aims to reintroduce cybernetics to the study of politics. Specifically, he aims to reveal the self-organizing character of polities and how this hinges on recursive feedback loops. In this account, the normative foundations of polities as well as the people holding these norms and values are part and parcel of what makes such self-organization work. Broadly, the concept of cybernetics refers to an inter-disciplinary approach to the study of systems and how they regulate themselves. Dobuzinskis advocates that any political organization, such as polities, nation-states, different types of governments, etc., must be understood as systems whose ever-evolving outlines are determined by and " [reflect] the practical and reflexive consciousness of the subjects who produce and reproduce them" (Dobuzinskis,

2019: 8). In other words, on Dobuzinskis' view, the capacity of self-organizing in a polity – as well as its evolution – is a function of its inhabitants and *their* self-organizing principles. These principles, in turn, are influenced by the self-organizing principles of the whole society. Since political subjects are normative beings with values and ethics – and insofar as these normative orientations can be seen as part of the self-organizing principles of human beings – this simply means that the self-organization of a polity is regulated by people's norms and values. And conversely, that people's norms and values are regulated by the normative foundations of the whole polity. This leads Dobuzinskis to the conclusion that the empirical study of polities must be informed by a framework that can comprehend the formation and evolution of norms and values and their organizing effects: "Consequently, in order to understand self-organizing processes in political life, one must also formulate a strategy for relating empirical concerns to normative reflections" (Dobuzinskis, 2019: 8).

What we already see in this cybernetic approach to political organization is the kind of self-referential loop that is typical of recursion. The process of instilling norms and values in people calls on the norms and values of the society, whose formation of norms and values in turn calls on the norms and values of people. Within the cybernetic framework of Dobuzinskis, this is no mere circular definition, but rather part of the system closure that makes a polity able to self-organize. What is on offer here, then, is a picture of a closed and co-constituting connection between people and their societies and the normative foundations they share. As Rosenbaum explains, what Dobuzinskis is proposing is an integrated understanding of society and humans, where both "(a) the subjectivity and autonomy of political actors in producing and being reproduced by their public realm, and (b) the 'recursive flow of ideas along an epistemological loop' which reflects the observers participation to some extent in the observed reality" are contained (Rosenbaum, 1990: 251). That is to say, the idea that autonomous subjects and societies are simultaneously co-produced according to the logic of an epistemological self-referentiality inherent to them both. What this means is that the processes by which we as humans come to hold beliefs and knowledge determine the structures of our societies and how they work in terms of self-organization and reproduction. What is especially interesting here is that the structure of this co-constituting self-referentiality will explain how people and societies manage to *both* change and reproduce, i.e., remain the same: "Dobuzinskis examines the problem of formulating an epistemological paradigm for comprehending how living systems emerge and replicate their self-identities while undergoing change" (Rosenbaum, 1990: 251). In other words, Dobuzinskis is – via the concepts of self-organization and self-referentiality – proposing to

explain how a system can reproduce itself in a recognizable form while it also undergoes change, as it reacts to its surroundings and evolves.

On Dobuzinskis' view, the cybernetic approach establishes a "firm ground" for the social sciences' account of normativity. By introducing the ideas of system closure, feedback, self-referentiality and self-organization, norms and ethical values are seen neither as fully determined by the objective structures of nature and social environments nor as the somewhat miraculous or at least spontaneously appearing non-causal byproduct of consciousness. Accordingly, normativity can neither be fully explained by probabilistic predictions nor by speculative metaphysics. Rather, by understanding normativity as the product of self-organizing and self-referential closed systems – humans or societies – norms and ethics would seem to originate from both. That is to say, on this account there is still room left for genuine autonomy in the formation of norms and ethics, while the determining effect of nature and environment on this process is also kept in place:

> the development of cultural and ethical norms in a society throughout time depends upon an original self-closure originating in nature, which a cybernetic approach can help us to comprehend. Of course, the concept of feedback – and its corollary, that of autonomy – do not suffice to explore the normative space, but they are key to it. […] Without a logic of closedness, the social sciences will continue to oscillate between social determinism and idealistic voluntarism; two philosophical positions which fail to establish a much needed 'moral or metaphysical world-view' on a firm ground. (Dobuzinskis, 2019: 42)

On this view, autonomy is seen as an objective feature of the kind of system that human beings are. In other words, autonomy must be understood as a feedback mechanism of a closed system able to act upon its own looped input 'freedom.' As such, it is an objective system feature. But at the same time, this objective nature of autonomy is what allows those systems that are endowed with such a feedback mechanism to operate accordingly, namely autonomously. So, while freedom might be an objectively determined feature of certain kinds of self-organizing closed systems – the product of that feature is the voluntarism of genuine free choice, e.g., in the formation of norms and values. It is in that sense that Dobuzinskis sees a firm cybernetic foundation for understanding normativity in the social sciences. Complete autonomy in the development of morals and ethical systems is maintained while at the same time explained as stemming from a specific and determined kind of feedback operation of closed systems.

What this amounts to, then, is a cybernetic framework that explains the mirroring of self-organizing principles in a society and its subjects as a process of co-constitution. In this framework, the reflexive and practical consciousness of subjects – their normative orientations – are mirrored in their societal structure, which in turn influences their subjectivity. This is the kind of co-constitution Edgar Morin refers to when he speaks of societies as systems which "not only give common cultural identity to diverse individuals, but also, by means of this culture, permit the development of difference" (Morin, 1992: 373). This is a process not dissimilar to Anthony Giddens' idea of structuration, where structure must be seen as both the medium in which the agent operates and also simultaneously as the product of the agents' actions (Giddens, 1984). And further, this is a framework that can provide a stable account of how this interaction functions, that is to say, it holds true even when societies and subjects change and evolve over time. Now, the concepts of self-organization and recursion (self-referential processes) are central to Dobuzinskis' framework and require some unpacking.

Starting with the concept of self-organization, this offers, according to Dobuzinskis, a way of thinking about the degree to which organizations – understood as sets of relations that in their totality regulate behavior[17] – are capable of closing themselves off from their surroundings, act upon themselves and thereby reproduce (Dobuzinskis, 2019: 53). Reproduction is here seen as a function of an organization's capacity to produce organizational closure. A system that is not sufficiently closed off from its surroundings would not evolve and reproduce. It would instead simply change in the encounter with its surroundings and stop being recognizable as a system. An organization is thus self-organizing to the degree that it is autonomous and acting upon itself rather than being determined by its surroundings. The kind of organizational autonomy – or closedness – that interests Dobuzinskis in relation to the political realm, be it societies, regimes, governments, etc., is that exhibited by autopoietic systems: "The fundamental characteristic of an autopoietic system is its autonomy. It is not programmed to respond to its environment by correcting its outputs, but it maintains its integrity by modifying its own internal procedures" (Dobuzinskis, 2019: 53). Autopoietic systems are highly complex systems that are closed off to their surroundings at the level of their output (their own reproduction or self-

[17] On this view, many different types of systems could display the same kind of organization. For instance, self-organization describes a specific kind of relation among the constituent parts of a totality that could be exhibited by a variety of systems. Thus, all the systems *nation-state*, *community* or *human* could exhibit the kind of organization that Dobuzinskis calls self-organization (Dobuzinskis, 2019: 52–3).

maintenance) but open at the level of their goals (open to change in what kind of operations are needed for it to reach its output, i.e., to reproduce and self-maintain). As an example, the nation-state – if viewed as an autopoietic system – will reproduce itself by closing itself off from other nation-states but be open to changing the internal procedures needed for this reproduction when faced with the challenges posed by other states, globalization, shifts in the economy, etc.

Here, the concept of recursion or self-referential processes is integral to understanding how this kind of autonomy works. Since the autopoietic system does not allow itself to be fundamentally changed by its environment, but rather modifies its internal procedures to maintain a kind of homeostasis, the source of its regulation must necessarily be located internally rather than externally. This kind of internal regulation is recursive, since the overarching operation of reproduction is replicated – or nested – within a myriad of subsystems:

> It is now time to introduce the concept of recursion. The inclusion or 'nesting' of an operation within itself is the defining characteristic of a recursive structure. A computer program, for example, often uses data generated by one or more sub programs that may themselves include one or more tertiary programs and so on; *when the sub-program consists of a replication of the master program which is thereby included within itself, a recursion occurs*. […] It follows that a recursive structure refers to classes of relations, each one of which can be realized by several (sub-)structures and, therefore, can take many distinct concrete forms. (Dobuzinskis, 2019: 52, emphasis added)

Illustrating this with the example of the nation-state as an autopoietic system from before, we could say that its 'code' for reproduction is embedded in the subsystems of its legal sphere, its economy, its military, its civil society, etc. This recursion would also occur further down, such that individual business sectors would replicate the code of the economy, individual companies would replicate the code of their sector, individual managers would replicate the code of their company, etc. The autonomy of a self-organizing system, which we understand to be its closedness from its surroundings at the level of its self-maintaining output, is thus dependent on this kind of recursion. Here, each subsystem regulates itself according to the same 'code,' such that the overarching output of reproduction is autonomously achieved. Note that while the subsystems (legal sphere, economy, military, civil society, etc.) include a replication of the master system (nation-state), they maintain distinct concrete forms. They are constituents embedded within constituents of the same kind – but not exactly alike. And note further that even these concrete forms would change when needed in order to maintain the

output of reproduction. For instance, when faced with the shock of automation, the subsystem of the manufacturing industry will change shape in order to still function as the economic foundation of the nation-state if possible.

The kind of recursion in this cybernetic account is thus tied to the self-referentiality between a society and its many subsystems. We here see a co-constituting effect in the formation of norms and values both at the societal and individual level. It is this closed recursive loop that allows both society and people to have autonomy from their surroundings, since their self-organization and reproduction depend on it. Without it, their evolution would happen at the mercy of outside forces – to the point where we would no longer call them an independent autonomous system. The impulse for its reproduction and evolution is thereby somewhat paradoxically located within itself: "A self-organizing system is paradoxical since it exists as an object and a subject like a mythical snake eating its tail. The reproduction of the same by the same, in biological as well as in political life, implies that the form that was senses in itself the form to be, as if it were able to read its own message from an outside that would be located inside" (Dobuzinskis, 2019: 121–2). Such a circular or closed system, whose input for reproduction comes from itself, would seem to be dangerously close to stagnating. It is hard to see how any change or evolution would come about if not through input from an outside. But here it is the capacity of recursive loops to create infinite outputs from finite means that ensures that evolution is possible. The autopoietic system is still open at the level of its goals – meaning that its fundamental norms and values can change in order to make its overall closed-off output of autonomy and reproduction possible. It is recursion between the system and all its subsystems that makes the range of this kind of goal-change infinitely wide.

Recursion in the normative concepts of formal pragmatics, justification and recognition

Now, having gone through this wide array of the use of recursion to describe various social phenomena, we can turn to its application in normative political theory. Specifically, as an explanation of essential features of formal pragmatics in Habermas, recognition in Honneth and justification in Forst. In this final section of the chapter, the three key properties of recursion derived from the recursion literature can be analytically applied to those concepts. These, we will recall, are *self-referentiality, self-embedding* and *a single rule basis for multiple outputs (with increased complexity).*

In order to argue for recursion being fundamental to the critical function of these concepts in the following chapters, this section identifies 1) the location of recursive properties in these concepts and 2) the function that these recursive properties serve. Naturally, further validation of these assertions will be made in the following more in-depth analyses of the concepts of formal pragmatics, recognition and justification. Here, the location of recursive properties and their critical function is illustrated by translating formal pragmatics, recognition and justification into processes and showing them in diagram form as recursive transition networks. As processes, formal pragmatics can be seen as a series of steps by way of which mutual understanding is (potentially) established, justification can be seen as a series of steps consisting in giving and receiving reasons in order to (potentially) justify a demand for justice and, finally, recognition can be seen as a series of steps (potentially) leading to an expansion of the content of the spheres of recognition. The modelling of recursive transition networks, originating from Hofstadter as described above, allows us to break these processes into a defined series of steps – and to show the recursive properties involved as one of these steps in the form of a recursive 'node.'

Initially, some general remarks can be made with regard to understanding all three concepts as processes and the possibility of translating them into recursive transition networks. Each of the networks contains a node that is recursive, since it is an exact copy of the overall network. This node clearly represents the recursive properties of self-reference and procedural self-calling, since one of the paths of the procedure in these networks can be to call on a new round of the same procedure. In this way, the node also represents nesting or embedding, as this function is located within the network. The networks also exhibit hierarchical ordering, since while the recursive nodes constitute constituents of the same kind, a layered or hierarchical ordering is always established with each new round, such that we always keep track of at which level we are. Similarly, the networks and the possible pathways they allow for must be understood as a single rule from which multiple (and potentially infinite) different outcomes are possible. Each new output can look different, but they all originate from the same basis, namely the rule of the network. That is to say, the finite starting point that is the rule of the network is capable of producing infinite outputs. Finally, the networks exhibit recursiveness in that the output from a finished round feeds back into the system, thus adding information and complexity to it. As an example, the reasons used to validate something as justified are added to the reservoir of what counts as good reasons and can be used in future rounds of justification. Similarly, the instances of previously recognized particular identities can be drawn on in order to make

the case that the general principle of recognition also should apply to a new particular identity.

Further, the recursive loops in all three recursive transition networks constitute the presence of a normative validity surplus. The notion of a normative validity surplus as a creative or generative source for new normative expressions inherent in the concepts is here captured by the recursive loop: neither of the concepts represent a stagnant description of some fixed horizon of mutual understanding, justifications or identities. Rather, they all contain this generative surplus that allows for an expansion of their normative concepts (new understandings, new justifications or new identities). The source of this generative power can be better understood when translated into the recursive transition network diagram, where it is the recursive loop that allows each procedure to call itself. The presence of a recursive node as well as the feedback of outputs into the overall reservoir of information in the system thus represents a potentially infinite capacity for generating new outputs.

The structure of the networks, that is the rules and pathways they contain, also represents what I call the formal property of formal pragmatics, recognition and justification. That is, the fact that these networks have recursion built into their structure through the copy nodes demonstrates how we can view these concepts as stable in terms of form and yet also flexible in terms of substantive content. A node such as *utterance*, for instance, will, in the recursive transition network for formal pragmatics and the pathways emanating from it, remain the same no matter what instance of an attempt to reach mutual understanding it denotes.

Moving along to the specificities of each critical concept as translated into recursive transition networks, Figure 6 shows what this looks like for formal pragmatics. The purpose of the figure is to show in diagram form the step-by-step process whereby each utterance must be discursively redeemed before mutual understanding is achieved. An utterance potentially carries with it three claims to validity: that it represents a factual truth, that its speaker is sincere and that the utterance is therefore truthful, and that its content is normatively acceptable. Each claim must be discursively validated in a process between speaker and hearer. That is, objective facts and/or theories must be presented and defended, the historical and/or future sincerity of the speaker must be established and the normative rightness of the utterance must be shown. If each validity claim is discursively redeemed in this way, mutual understanding is achieved between speaker and hearer. But, if either of the validity claims of the utterance is challenged it must be redeemed by new rounds of utterances, which can in turn be challenged. This discursive validation process is thereby recursive. The dotted box shows the

recursion, as the node *Challenge* is a copy of the overall recursive transition network. Only if the validity claims are eventually redeemed does the procedure bottom out in a way that allows for mutual understanding to be achieved. Otherwise, the procedure is endless and mutual understanding is not reached.

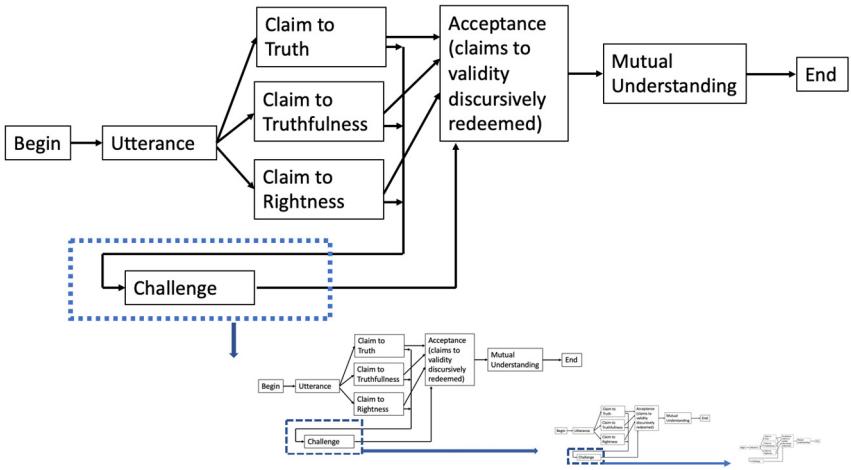


Figure 6. A recursive transition network for Habermas' formal pragmatics.

The idea of Figure 7 is to show in diagram form how each struggle for recognition contains a normative validity surplus that (in cases of successful struggles) expands the possible recognizable identities through increased inclusion or individuality. When a person or group demands recognition for their particular life-situation by appealing to the general principle of recognition, they are either met by their society with acceptance or disrespect. In the former case, either more people or groups are included into an existing recognized identity or a new individual identity is included in the pantheon of recognition-worthy identities. In the latter case – provided that the group or person is not broken by the experience – the demand for recognition can become a struggle. The node *Struggle* is recursive, since a struggle implies that the procedure is repeated with new appeals from the particular life-situation to the general principle of recognition. The recursive procedure bottoms out when the demand is finally met with acceptance. Such a successful struggle for recognition adds to the overall reservoir of previously successful demands for recognition. New struggles and demands can draw inspiration from this reservoir and validate their attempts by pointing to previous

instances where particular life-situations where thought to meet the criteria of the general principle of recognition.

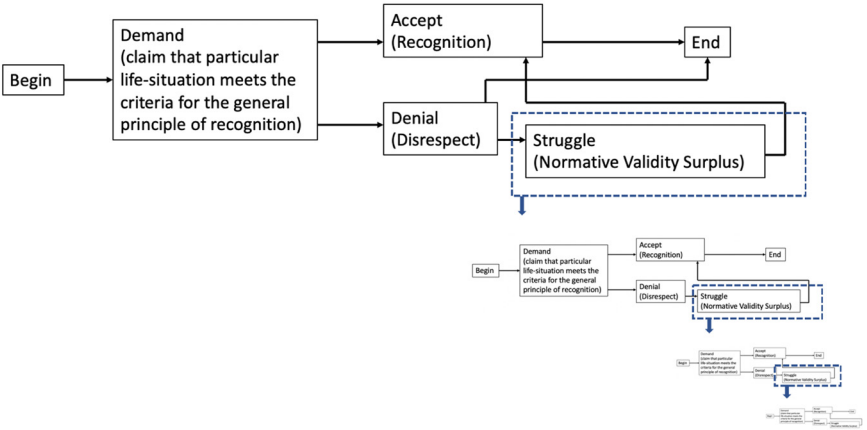


Figure 7. Recursive transition network for Honneth's concept of recognition.

Figure 8 shows in diagram form how in Forst's theorizing all reasons given for norms, values, institutions or practices must be discursively redeemed before they can be considered as adequate support for a justification. In order for a justice-related claim or demand to be justified, one must present a good reason. The quality of the reason is determined via the criteria of reciprocity and generality through a process of discursive validation. The reason meets the criterion of reciprocity if the demand for justice is not merely claimed for one person or group and denied to others in similar circumstances (reciprocity of content) and if the justificatory reason given does not rely on non-shared or assumedly shared values (reciprocity of reasons). The criterion of generality is met if the reason for generally valid basic norms is sharable by all those affected. The quality of the reason is determined in practical discourse between the affected parties. The claim is justified if the reason given is practically validated in this way. However, the reason given can also be challenged and reasonably rejected if its reciprocity and generality is not established through practical discourse – each person affected has a veto right against basic norms, arrangements or structures that cannot be justified reciprocally and generally to them. The node *Challenge* symbolizes this scenario. Now, the justice-related claim must be redeemed through a new round of reason-giving. The *Challenge* node represents the recursive property of the network, as it is a copy of the overall recursive transition network for justification. Only when (if) reasons that can be reciprocally and generally redeemed in practical

discourse are presented does the procedure bottom out. In this case the reservoir of justifications and (good) justificatory reasons is expanded and available for future rounds of reason-giving related to new justice claims and demands.

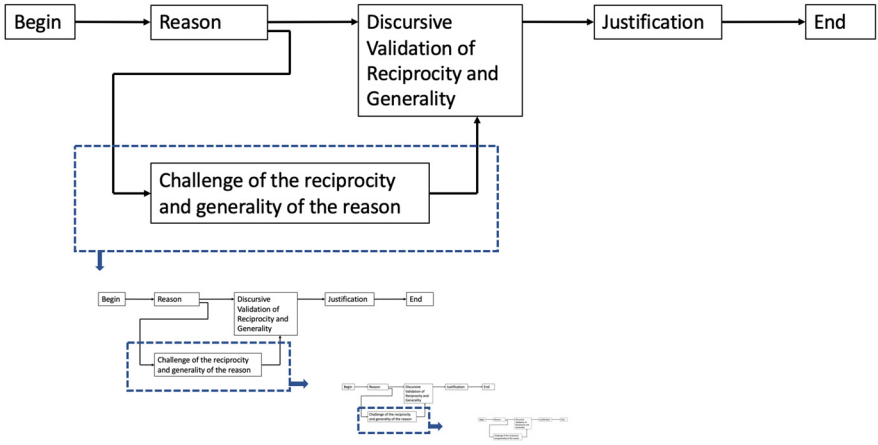


Figure 8. Recursive transition network for Forst's concept of justification.

Introduction to chapters three and four

Time present and time past
Are both perhaps present in time future
And time future contained in time past
[…]
What might have been and what has been
Point to one end, which is always present

T.S. Eliot

Recursion in the teleological premises underpinning the reconstructive methods of Habermas and Honneth – relating past, present and future

Chapters Three and Four will critically examine the role of teleological premises in the normative theories of Habermas and Honneth. These chapters will show how the social critique of both authors rely on the idea that meaningful normative evaluations of justice in the current state of affairs can be made on the basis of *an anticipated end-state* derived from the *internal logic of the present* – a logic that is naturally derived from looking at developments in *history, i.e., the past*. The purpose of focusing on this kind of reconstructive methodology is to show how it relies on a recursive understanding of the interplay between past, present and future. I believe this use of teleological premises – understood as recursive premises – in these theories is worth isolating in their arguments and critically examined in some detail (Deranty, 2011: 63; for a critical stance on recursion used in this way see Knodt, 1994: 87–8). Chapter Five, in which Forst's critical theory of justification is analyzed, is different from Chapters Three and Four, since I do not locate this kind of teleological recursion in Forst.

Jaan Valsiner, writing in the context of applying recursion to the field of cultural psychology, succinctly sums up how the experienced relationship between past, present and future can be understood recursively:

> The past is given to us by a sequence of unique life events of determinate kind, while the future is imagined as a field of infinite possible events that may happen under some conditions, yet also do not need to take place. Recursivity is thus a characteristic of moving towards the future. […] It is *self-referencing* – through projecting the present onto the field of anticipated future […], part of which may be desired and the rest tolerated, or even avoided. Such future projection builds on imagining, which feeds back into the present to aid in the move towards the future. The self-referencing process is between one's past and the expected future – guiding the transformation. The looping starts from the projected future, feeds back into the present, and leads to *anticipatory action* towards the future. (Valsinar, 2015: viii)

This psychological description – of the recursive relationship between our past, more or less desirable anticipated futures and the action we ought to take in the present – provides a suitable introduction to the intuition underlying my analysis of reconstruction in Habermas and Honneth. I will make the argument that this kind of recursive relationship can be found in these authors in their reconstructive methodology. Here, it underpins the process by which both formal pragmatics in Habermas and recognition in Honneth give rise to critical evaluative standards. That is to say, the recursive way in which an 'ought' is derived from a hypothetically anticipated future, projected from our past, and brought back to bear on the present as a normative stance. It is this idealized anticipation of a desirable future outcome that I identify as the teleological premise of both Habermas and Honneth's normative theory.

Specifically, the chapters will examine the theoretical methodology of "rational reconstruction" in Habermas and "normative reconstruction" in Honneth. By employing the reconstructive method, both Habermas and Honneth claim to be able to arrive at evaluative standards that transcend the initial fabric of reality from which they were derived. Crucially, this transcendence relies on what I call a teleological premise, namely that this underpinning reality intimates a normative direction – a direction that can be hypothetically anticipated by the skillful theorist and thus employed as a critical yardstick for evaluations concerning the justice of the present.

Chapter Three will first examine the normative foundation of Habermas, namely his theory of formal pragmatics. That is, the idea that universal validity claims

underpin all rational and competent communication undertaken with the intent of reaching mutual understanding – and that these validity claims, once realized, can function as a formal basis for normative evaluations of human relations across all contexts (time and space). Here, it is the hypothetical anticipation of a state of unhindered, true, truthful and appropriate communication that constitutes the teleological premise in Habermas.

Chapter Four then examines the use of hypothetical anticipations in Honneth's theory of recognition and his later work on freedom. Here, the just nature of struggles for recognition is evaluated from a hypothetical anticipation of unhindered intersubjective recognition, brought back as a yardstick for the present. Focusing on Honneth's later work on freedom, the chapter explores how Honneth uses normative reconstruction as a "post-metaphysical equivalent of what Hegel calls the 'logic of the concept', as applied to the sphere of 'objective spirit'" (Honneth, 2013: 38). That is to say, the way in which Honneth goes about discerning from history a pure form of institutionalized social freedom as a hypothetical future, intimated from our current institutions, and brought back to bear as an evaluative standard for the here and now.

Figure 9 below illustrates the argument I wish to make: how the shared meta-methodological framework extrapolated from Habermas and Honneth's reconstructive methods functions. The figure contains a temporal dimension, depicting past, present and future in the direction left to right, as illustrated by the top arrow under the heading *Progress*. The numbered arrows 1 through 4 show the recursive steps involved in this method.

First, the critical method draws on the present social facticity such as norms, institutions, practices, discourses or linguistic competences and establishes which ones are the most fundamental, e.g., along the lines of functionality in providing social reproduction, order, action coordination, etc. This ascribed importance is backed up by relating such norms, institutions, practices or discourses to their place in historical development.

Second, through historical analysis the foundational normative roots of such norms, institutions, practices or discourses are related back to the present. Here, their development is traced. But more importantly, their current status is theorized, that is to say, their content and importance for the present order is further determined. Insofar as this is done in order to evaluate whether or not the initial promise of these has been met or potentially exceeded or perverted in the present, this step can be said to be *immanent,* by which is meant that such an evaluation of present norms, institutions, practices or discourses is done by

standards that are internal to the same historically-investigated norms, institutions, practices or discourses.

These first and second parts of the process is reminiscent of *fact-sensitive* or even *non-ideal theorizing* insofar as the real-world facticity of both the historical development and the present state of affairs is taken for granted.

Third, a future state of affairs in which the normative content of the chosen norms, institutions, practices or discourses is fully met is then imagined. This is a *hypothetical anticipation* of a state of affairs where the most fundamental present norms, institutions, practices or discourses (according to some value such as social reproduction, action coordination, etc.) have reached the point of their fully realized normative content.

Fourth, this hypothetically anticipated state of fully realized normative content is then brought back to the present as an evaluative standard in order to criticize the current state of affairs from the point of view of full normative realization. Here, this critical analysis can be said to be *transcendent* insofar as such evaluative standards constitute universal points of view along which the present state of affairs (i.e., forms of life) vary.

These third and fourth parts of the process are reminiscent of *ideal theorizing* insofar as real-world facticity is no longer taken for granted. The speculative nature of hypothetically anticipating a future ideal state – where the normative content of the theorized norms, institutions, practices, discourses, etc., is fully realized and held against the present state of affairs as a standard for evaluation – displays utopian traits void of concerns about feasibility, non-compliance, etc.

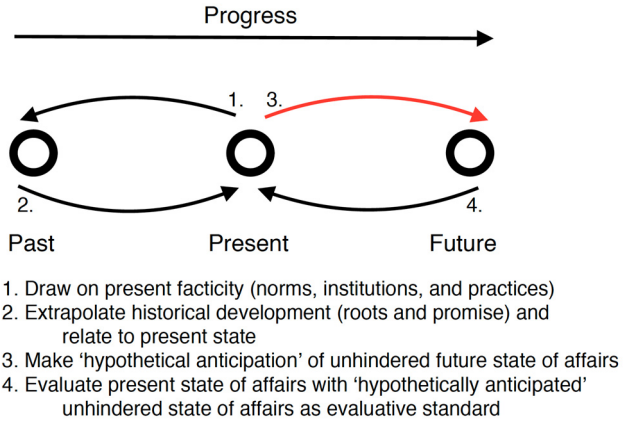


Figure 9. Reconstruction of evaluative standards displaying a recursive relationship between past, present, and future.

Importantly, the notion of progress here does not entail any necessity, determinism or inevitability. It does, however, relate a hypothetically anticipated state of 'unhindered' or 'fulfilled' affairs to the present as a possible goal. This possibility of fulfilment denotes a state of affairs that would constitute progress – and equally, it makes critical evaluations of potential hindrances to such progress, i.e., regressive tendencies, possible. It is in this limited sense of the meaning that I seek to demonstrate the use of teleological premises in the reconstructive method. There is a recursive connection to the historical unfolding of certain social processes with normative content which points towards a possible and desirable direction in the form of the idea of full normative realization.

This is, of course, a highly abstract meta-theoretical description of the critical method of reconstruction. The following elaboration in Chapters Three and Four of how I see this working in Habermas and Honneth will add more meat to the bare bones of Figure 9. In the following chapters I will seek to demonstrate this model 'in action,' so to speak, through examining the actual theoretical-reconstructive argumentation of Habermas' formal pragmatics and Honneth's reconstruction of recognition and social freedom.

Chapter Three

Formal pragmatics in Habermas – recursive grounding of a normative concept

The aim of this chapter is to explicate the role of recursion in the formal pragmatics of Habermas. This is done on two levels. First, by relating recursion to the reconstructive method with which Habermas arrives at evaluative standards. Here, the focus is on what I call the teleological premise that underlies the reconstruction of normative standards by recursively relating the past, present and hypothetically anticipated future. Second, by using the recursive transition network outlined in Chapter Two to show the recursive properties of formal pragmatics when understood as a communicative *process* aiming to reach mutual understanding. Recursion thus enters the picture in relation to formal pragmatics both at the level of reconstruction as a normative method and at the level of intersubjective discursive processes aiming to reach understanding.

Evoking the notion of teleology in relation to Habermas' critical theory might provoke hesitation in the reader. It is therefore worthwhile to clarify from the outset what I mean when I speak of a teleological premise in formal pragmatics. With this, hopefully, the reader will be assured that I am not suggesting the ancient Aristotelian notion of an inherent telos to the human existence or any other such discredited idea. As Jay explains, Habermas' rational reconstruction "provide[s] an always revisable normative standard against which actual historical changes occurs without serving as a prophesy of where it must necessarily go" (Jay, 2016: 139).

To begin with, the kind of teleological premise I am exploring here relates to human speech, and not in the first instance to humans and their lived experiences. As Habermas himself puts it in *The Theory of Communicative Action*:

> Reaching understanding is the inherent telos of human speech. […] Thus we can analyse the formal pragmatic features of the attitudes oriented to reaching understanding in connection with the model of the attitude of participants in

> communication, one of whom – in the simplest case – carries out a speech act, to which the other takes a yes or no position (even though utterances in communicative practice of everyday life usually do not have a standard linguistic form and often have no form at all). (Habermas, 1984a: 287)

In this case, the telos simply refers to the purpose of communication, namely to reach understanding between speakers. This is, as we will see, a pragmatic process that according to Habermas can be idealized and understood with formal pragmatics. But, as I argue, there is a bit more to the teleological story in Habermas than 'just' the aim of speech to reach understanding. I agree with Somogy Varga when he argues, in a discussion of Habermas' universalist ethics, that "[e]ven though Habermas is keen on avoiding this, […] he implicitly invokes a context-transcending, teleological idea of what a good human life entails" (Varga, 2011: 75). Similarly, Stella Gaon makes the case in connection to Habermas' discourse ethics that "the unconditional normativity of the Habermasian 'ought' is on my view conditioned by an unthematized teleology" (Gaon, 1998: 705). I would argue that these traces of a teleological premise in Habermas' normative theory is ultimately located in formal pragmatics. As Habermas himself explains in regard to his "unconditional" normativity, there is indeed a transcendence present in our speech actions when we try to reach mutual understanding:

> The validity claims that we raise in conversation – that is, when we say something with conviction – transcend this specific conversational context, pointing to something beyond the spatiotemporal ambit of the occasion. Every agreement, whether produced for the first time or reaffirmed, is based on (controvertible) grounds or reasons. Grounds have a special property: they force us into yes or no positions. Thus, built into the structure of action oriented towards reaching understanding is an element of unconditionality. And it is this unconditional element that makes the validity *(Gültigkeit)* that we claim for our views different from the mere de facto acceptance (Geltung) of habitual practices. (Habermas, 1990: 19)

In other words, alongside the telos of reaching understanding inherent to speech we also find a "spatiotemporal" transcendence attached to the practice of giving reasons. With formal pragmatics we can, according to Habermas, describe this transcendence. And as I will argue, with the property of recursion, we can understand it as a teleological premise underlying normativity in Habermas.

With this in mind, I will begin the chapter with a presentation of the concept of formal pragmatics. Here, the focus will be on, first, how this concept concretely

functions as a description of communicative processes aimed at reaching understanding and, second, how formal pragmatics can be understood as a normative foundation. The reason for this focus on formal pragmatics, rather than the more developed principles from discourse ethics, is to focus on the normative concept in Habermas that ultimately underpins these later principles. At this foundational level of Habermas' normative theory, I believe we most convincingly find recursion at work. (**Section I**)

I will then proceed to discuss the normative standards of formal pragmatics as reconstructed standards. Here, the connection between formal pragmatics and the teleological premise is presented. (**Section II**)

Finally, I will analyze formal pragmatics as an idealized communicative *process* between people aiming to reach mutual understanding. By presenting formal pragmatics in the diagram form of a recursive transition network, I am able to employ the three properties of recursion as an analytical frame. I will relate this analysis of the recursive properties of formal pragmatics to the overall endeavor of this thesis, which is to show how recursion allows for critical concepts to be fixed-yet-flexible evaluative points of reference. (**Section III**)

I

The following section is an investigation of Habermas' theoretical concept of formal pragmatics (sometimes also referred to as universal pragmatics) (Habermas, 1979; Habermas, 2018: 80). This is a theoretical construct which allows him to ground his normative critique. It is, so to speak, a device that serves as a foundation for his subsequent normative evaluations in *A Theory of Communicative Action* (Habermas, 1984a; 1984b) and his discourse ethics (Habermas, 1993: 50). The concept of formal pragmatics is foundational to Habermas in the same way that the concept of reason is to Kant, or the concept of objective spirit is to Hegel – because of their assumed absolute antecedence to all other principles or concepts, these must be regarded as somehow stemming from the foundational antecedent. So, for Kant there could be no categorical imperative without reason, for Hegel no arch of history without objective spirit, and for Habermas no discourse ethics or principle of universalization without formal pragmatics.

Briefly, the concept of formal pragmatics is a description of a set of presuppositions absolutely necessary for communicative action to work (speech

and understanding). These are "the common supposition of an objective world, the rationality that acting subjects mutually attribute to one another, and the unconditional validity they claim for their statements with speech acts" (Habermas quoted in Allen, 2017: 246). The theory of formal pragmatics claims that these presuppositions are something we must necessarily *always already accept* before entering into a speech act and possibly reaching mutual understanding. These presuppositions are antecedent to all further subsequent utterances and should therefore, according to Habermas, be regarded as universal or even transcendent. They are the inescapably necessary conditions for *understanding itself*. It is this universal character that allows Habermas to ground his normative critique, such that this theoretical construct serves as the *terra firma* for all other normative claims.

In the following, I propose that the notion of teleological reasoning is key to understanding how Habermas goes about grounding the normativity of his social critique. Specifically, I believe this teleological element explains exactly how Habermas can (a) derive his normative standards from a context-dependent empirical reality and yet also claim that (b) these normative standards transcend this grounding because of their universally valid or context-independent foundation. I will here stress the role that Habermas' concept of a "hypothetically anticipated end-state" plays in making this operation work.

The purpose of formal pragmatics in Habermas and the methodology underpinning it

Habermas' theory of formal pragmatics is the product of his collaboration with German philosopher Apel. In the 1970s, Apel and Habermas shared an interest in searching for a universal core of human communication; a core they both believed to exist in the capacity of rational beings to arrive at mutual understanding. This endeavor resulted in Habermas' 1976 essay *What Is Universal Pragmatics*, which would lay the foundations for much of Habermas' subsequent work on speech acts and discursive ethics (Habermas, 1979). Though Habermas' idea of formal pragmatics shares many similarities with Apel's own theory of a transcendental pragmatics, I will here focus on the former, and only sparingly use the latter for the purpose of drawing distinctions (Apel, 1998).

As Habermas explains, the purpose of his formal pragmatics is to rationally reconstruct the universal conditions under which mutual understanding can be reached across all contexts:

> The basic universal-pragmatic intention of speech act-theory is expressed in the fact that it thematises the elementary units of speech (utterances) in an attitude similar to that in which linguistics does the units of language (sentences). The goal of reconstructive language analysis is an explicit description of the rules that a competent speaker must master in order to form grammatical sentences and to utter them in an acceptable way. […] It is further assumed that communicative competence has just as universal a core as linguistic competence. A general theory of speech act would thus describe exactly that fundamental system of rules that adult subjects master to the extent that they can fulfil *the conditions for a happy employment of sentences in utterances*, no matter to which particular language the sentences must belong and in which accidental context the utterances may be embedded. (Habermas, 1979: 26)

As David Held and McCarthy have explained, Habermas here draws on the linguistic theory of Chomsky and speech act theory of Austin and Searle (Habermas, 1979: 14–20; 34–41; Held, 1980: 323; McCarthy, 1984: 274–5). From Chomsky, Habermas takes the distinction between linguistic competence and performance. The idea of linguistic competence refers to the generalizable conditions that allow speakers and hearer to understand each other, whereas linguistic performance refers to the actual act of speaking and hearing under the constraints of real-world obstacles such as degree of memory, lack of attention, other general sources of potential errors, etc. By focusing on competence, Habermas – just like Chomsky – can focus on an ideal situation which obviously lends itself much better to a theoretical reconstruction of the universal rules behind "acceptable" or "happy" employment of utterances. Though my treatment of Chomsky here is clearly superficial, it is clear that Habermas borrows from him the idea that a universal grammar, one that is context-independent, can be reconstructed and formalized. But whereas Chomsky focused on a language grammar (meaning in sentences), Habermas extends this idea to the more general idea of a communicative grammar, so to speak (meaning in utterances).

This generality of scope is the inheritance in Habermas from Austin and Searle, from whom Habermas takes the idea of speech acts: "the most elemental units of linguistic communication" (McCarthy, 1984: 275). The speech act unit is more general than units such as sentences, words or symbols since it refers to the production of communicative meaning in general. Further, Habermas draws on Searle in distinguishing between the propositional and the illocutionary content of an utterance or speech act: where the propositional content of two utterances can be the same (i.e., 'I demand *p*' and 'I beg of you *p*'), the illocutionary content of those utterances are different. Here, the illocutionary content refers to something similar to the attitude or intention with which something is said,

which, quite importantly, can significantly alter that which is meant by the proposition *p*. Moreover, the illocutionary content of an utterance can be understood as the aim of the utterance to reach, first, understanding and second, acceptance (Habermas, 1998: 315). With this focus on illocution, Habermas can concentrate not on the subjective position of the speaker nor on the objective point of reference for what is being said, but rather on the intersubjective action that takes place between speaker and hearer when they pragmatically engage in the communicative practice of mutual understanding.

It is with these central notions from Chomsky, Austin and Searle, that Habermas can undertake the program of finding a "fundamental system of rules" governing the creation of understanding between communicatively competent people *across all particular contexts*. The program of formal pragmatics is thereby no less than a theory of the universally valid conditions that make understanding as such possible. Here, it is important to emphasize the methodological presuppositions employed by Habermas in his so-called reconstructive method, since the universal character of his theory might lead one to think that the rules Habermas discovers are free-standing in the Kantian sense, meaning that they can be deduced *a priori*. But this is exactly where Habermas diverges from Apel, for whom the purpose of transcendental pragmatics is to discover "what we must necessarily always already presuppose in regard to ourselves and others as normative conditions of the possibility of understanding; and in this sense what we must necessarily always already have accepted" (Apel quoted in Habermas, 1979: 2). Whereas Apel here operates with the purely transcendental *a priori* "that which is always already accepted," Habermas rejects this possibility since his theory is supposed to be empirically informed *a posteriori* (after experience) (Habermas, 1979: 23–5).

So, while Habermas shares with Apel the intention of finding the *universal* rules governing understanding, and in that specific sense shares Apel's transcendentalism, he rejects the possibility of making *a priori* inferences about understanding, since the very nature of extrapolating the rules underpinning understanding 'blurs the lines' between *a priori* and *a posteriori* (seeing how understanding might function on the basis of implicit rules prior to communication, but at the same time is per definition tied to the explicit experience of exchanging utterances) (Habermas, 1979: 25). This makes the study of communication especially complex, since the object in question is both what is being investigated and the tool with which this investigation takes place. It is this unique blend, of both asserting the possibility of arriving at a universal and context-independent theory whilst also maintaining the impossibility of doing so without reference to empirical experience, which makes Habermas' formal

pragmatics "quasi-transcendental" (sometimes also referred to as a "weak transcendentalism" in Habermas).

As McCarthy explains, Habermas calls his method reconstructive, since it aims to explore pre-theoretical knowledge. In that sense it reconstructs something that is already implicitly there rather than constructing something new from scratch. In the case of formal pragmatics, the pre-theoretical knowledge Habermas seeks to reconstruct is the implicit "rule consciousness" that linguistically competent speakers possess in order to communicate without them necessarily being aware of it (Habermas, 1979: 14–5). It might sound like a logical fallacy to speak of a rule consciousness that speakers are unconscious of, but this can be understood as the difference between 'know-how' and 'know-that': people very often know how to do something without explicitly knowing all the rules, norms and procedures that make this action possible (McCarthy, 1984: 276; Iser, 2009: 615). A person might, for instance, very well be able to conduct him- or herself properly in a room full of complete strangers without being explicitly aware of all the rules and norms that make such an operation possible. In this case, such a person is unreflexively performing in accordance with all sorts of implicit standards and criteria, but nevertheless performing to the satisfaction of the room.

The method of reconstruction thus seeks to "transform a practically mastered pretheoretical knowledge (know-how) of competent subjects into an objective and explicit knowledge (know-that)" (Habermas, 1979: 15). According to Habermas, it is therefore possible to reconstruct the "universal capabilities" that make people able to reach understandings through communication even if they are unaware of these capabilities. Or, as McCarthy puts it, it is the goal of this reconstruction to make explicit the "general structures" that appear with all speech and that are themselves a product of communicative utterances: "formal pragmatics undertakes the systematic reconstruction of general structures that appear in every possible speech situation, that are themselves produced through the performance of specific types of linguistic utterances, and that serve to situate pragmatically the expressions generated by the linguistically competent speaker" (McCarthy, 1984: 276). Here again, the quasi-transcendental status of formal pragmatics appears: they are *both* "general structures" that make understanding possible (thereby underlying all speech) *and* a product of speech itself (whereby speech underlies these general structures

The content of formal pragmatics

So, what then are the general structures of all speech acts? What exactly are the universal capabilities of all competent communicators that Habermas reconstructively discovers? There are of course several features to formal pragmatics, but here I will focus on, first, the pragmatic functions of a speech act geared towards understanding and, second, on the validity claims that Habermas identifies as being implicitly followed when we make different statements.

Regarding the pragmatic functions of speech, Habermas makes the assertion that there must necessarily be certain fundamental practical purposes attached to any utterance geared towards reaching understanding. These purposes or functions are necessarily antecedent to all subsequent content of any given utterance, because without them there would not even be a possibility of understanding present. Thus, Habermas identifies "[t]hree general pragmatic functions – with the help of a sentence, to represent something in the world, to express the speaker's intentions, and to establish legitimate interpersonal relations – that are the basis of all the particular functions that an utterance can assume in specific contexts" (Habermas, 1979: 33). What Habermas is here doing is in a sense quite straight forward. He is saying that before any particular propositional or illocutionary content, what is already present in a speech act that seeks to establish understanding is 1) that *something* is talked about (implying a reference to a shared objective world), 2) that an *intention* or aim is expressed (that there is some purpose to talking about that something) and 3) that the conversation establishes a *legitimate connection* between the speaker and the hearer (at a minimum a dominance-free communicative relation but also one free of strategic communication). This means that when a person asks "Do you have some water?" the particular context-bound content of that utterance (the propositional content of ascertaining if someone has water, and the illocutionary content of asking to drink that water) happens on the backdrop of these three context-transcending pragmatic functions (in an idealized speech situation where understanding is sought).

Habermas further claims that these general pragmatic functions correspond to three types of universal validity claims that are automatically raised alongside them. This is the case because each pragmatic function of an utterance implies a relationship to reality that can ultimately be valid or not. When we speak about *something*, we speak about objects and events that can either be true or false; when we speak with an *intention*, this intention can either be conveyed truthfully or not; and when we establish an interpersonal relation, that relation either corresponds to the norms, rules and roles of a specific societal context or not (and further, these

norms, rules and roles are *themselves* either 'right' or 'justified' or 'wrong') (McCarthy, 1984: 280). In other words, regardless of the particular and context-bound content of an utterance (its propositional and illocutionary content), all utterances (geared towards understanding) universally come with three postulates about their truth, truthfulness and rightness. As Habermas explains, these validity claims imply a dialogue, in which the speaker and the hearer are willing to 'back up' their claims, so to speak:

> Speaker and hearer can reciprocally motivate one another to recognize validity claims because the content of the speaker's engagement is determined by a specific reference to a thematically stressed validity claim, whereby the speaker, in a cognitively testable way, assumes, with a truth claim, obligations to provide grounds, with a rightness claim, obligations to provide justification, and with a truthfulness claim, obligations to prove trustworthy. (Habermas, 1979: 65)

Note here that the idea of universally present validity claims in speech comes with the further idea that certain obligations follow from making such claims, namely the obligation of the speaker to "prove" the implied validity through discourse if challenged on it by the hearer. Regarding truth-claims, the speaker can recount the "*experiential source* from which the speaker draws the *certainty* that his statement is true" (Habermas, 1979: 64). Regarding rightness-claims, the speaker can recount the "*normative context* that gives the speaker the *conviction* that his utterance is true" (Habermas, 1979: 64) And finally, regarding truthfulness-claims, the speaker can demonstrate his sincerity through subsequent action that aligns with the intention of the uttered statement. These obligations can either be made good immediately through basic argumentation in the manner described above, or in the case of persistent doubt, be made good through theoretical discourse or in subsequent action (Habermas, 1979: 64).

Here it must again be stressed that Habermas is analyzing a highly idealized speech situation, since such obligations to be sincere, provide grounds for statements of fact and provide justifications for normative statements are clearly not always present in everyday discourse, which is often plagued by strategic or instrumental motivations. Nevertheless, it is Habermas' contention that these validity claims are necessarily and universally raised in discourse aimed at mutual understanding across all contexts. Importantly, the obligations attached to formal pragmatics are formal and not substantive – that is, they do not, like moral philosophy, tell us what we ought to do. They only contain the obligation to give reasons and justify the validity of our claims.

As Habermas explains in the much later *Between Facts and Norms*, "[c]ommunicative rationality is expressed in a decentred complex of pervasive, transcendentally enabling structural conditions but is not a subjective capacity that would tell actors what they *ought* to do. Unlike the classical form of practical reason, communicative reason is not an immediate source of prescriptions" (Habermas, 1996: 4). This is an argument which Habermas has recently defended when he points out that, while the strong idealizations of equal treatment, comprehensive inclusion and unforced treatment can be extrapolated from the pragmatic presuppositions of rational discourse, "the *meaning of the moral 'ought' as such* cannot be extracted from the presuppositions of discourse" (Habermas, 2020: 643; on idealizations from pragmatic presuppositions, see also Habermas, 1992: 47; Habermas, 2003: 107).

As a final clarification of the content of Habermas' formal pragmatics, it is perhaps worthwhile to clarify what is meant with regard to the notion of *truth*, since the usage of such a contestable concept can easily give rise to misunderstandings. Habermas distinguishes between the *truth* of something and the *idea* of having to back up the validity-claims underlying some statement. Whereas the criteria for determining whether something is true are contestable and essentially relative to the context of rationality under which it is said, the 'formal' character of the idea of validation along the lines of truth is supposed to be universal to the human species, as it is the pre-theoretical knowledge necessary for any attempt at reaching understanding:

> The *criteria* of truth lie at a different level than the *idea* of redeeming validity-claims which is expounded in terms of the theory of discourse. Criteria change with standards of rationality and are subject in their turn to the dictate of argumentative justification. What can count in a given instance as a good reason is something that depends on standards about which it must be possible to argue. The only thing exempted from this argument is that prior knowledge which is shared by all competent speakers, which is of course merely intuitive and thus in need of reconstruction, and to which we have recourse when we are supposed to explain what it means to enter into argumentation. (Habermas, 1982: 273)

Habermas thus follows the approach to truth set forth by formal logic, in which "*p* is true if and only if the truth conditions for *p* are satisfied" (Habermas, 1982: 273). Here, quite clearly, everything depends on the context of defining *p* and its truth conditions (what is deemed sufficient as proof for something at a given time and in a given context). Conversely, the general idea that validation is necessary between rational human beings with communicative competences is supposed to

be a universally, context-independent, non-relativizable and ultimately falsifiable fact about what it means to be a communicating human.

Figure 10 below sums up the content of Habermas' theory of formal pragmatics. The four columns represent the four analytical delineations Habermas makes in his investigation of formal pragmatics. In the first column we find the type of relation an utterance must necessarily have to reality, that is, to an external objective reality, to a social normative reality and to a subjective inner reality. In the second column we see modes of communicative attitudes employed by communicatively competent people, when speaking with reference to objective, social and subjective reality, respectively. The third column represents the universal validity claims that necessarily follow from any attempt to reach understanding through utterances. Again, following the objective, social and subjective distinction, the respective claims to validity are truth, rightness and truthfulness. Finally, the fourth column presents the three pragmatic functions of speech, which are universal functions regardless of the particular (propositional or illocutionary) content of an utterance. Though I have not dwelt on it here, Habermas also includes language itself as a domain of reality (fourth row), in order to include comprehensibility as a fourth validity claim. This is what is implied when Habermas qualifies his theory as one concerning only the universal pragmatic conditions for understanding between *communicatively competent* human beings (there must be a shared language facilitating intelligibility).

Domains of Reality	Mode of Communication	Validity Claims	General Function of Speech (Pragmatics)
"The" World of External Nature (Objective)	Cognitive: Objectivating Attitude	Truth	Representation of Facts
"Our" World of Society (Social)	Interactive: Conformative Attitude	Rightness	Establishment of Legitimate Inter-personal Relations
"My" World of Internal Nature (Subjective)	Expressive: Expressive Attitude	Truthfulness	Disclosure of Speaker's Subjectivity
Language	_	Comprehensibility	_

Table 1. Table taken directly from Habermas, with additional distinctions/predicates in parenthesis added by me (Habermas, 1979: 68).

Formal pragmatics as normative foundation

As Allen notes, when the question of grounding normative critique has been at the forefront of the minds of contemporary scholars working within the tradition of critical theory and the Frankfurt School of thought, it is largely because of Habermas setting the agenda in this regard (Allen, 2017: 243). In Habermas' case, this is exactly the role that the theory of formal pragmatics takes in his larger oeuvre: it provides a foundation or a ground for his normative critique. As Habermas puts it in *A Theory of Communicative Action*, in which the principle of universalization and discourse ethics largely rests on the theory of formal pragmatics, it is his goal to develop a "social theory concerned to validate its own critical standards" (Habermas, 1984a: xxxix). In other words, to develop a social theory that can evaluate and criticize social conditions, not by recourse to external

standards, but by referencing the exact same facticity explored in the theory (communicative action) and the standards he derives therefrom (principle of universalization and discourse ethics derived from the formal pragmatics underpinning communicative action).[18]

As Honneth notes, by using formal pragmatics, Habermas is grounding his normative critique in the basic idea of the possibility of mutual understanding, and subsequently directs his critique at those societal phenomena that hinder this possibility:

> If we regard these linguistic conditions as a normative core structurally built into human communication, the critical perspective embedded in Habermas's theory of society becomes somewhat more evident: an analysis of the social and cognitive restrictions that place limits on the unimpeded application of those linguistic rules. By turning to formal pragmatics, Habermas has taken a course that ultimately equates the normative potential of social interaction with the linguistic conditions of a way of reaching understanding free from domination. (Honneth, 2007: 70–1)

By turning to formal pragmatics as the grounding of his normativity, Habermas is indeed presenting a general social theory "that validates its own standards." But what does this mean, and why is it supposed to be an advantage? First of all, the move of establishing a critical theory capable of validating its own standards is, I believe, meant to offer a higher level of credibility and plausibility to the theory. If the normative foundation of critique is shown to be fully understood and explained as part of that same reality to which the critique is meant to be applied, then obviously it seems less arbitrary than would otherwise be the case. The old contractarian theories of Locke and Hobbes, for instance, all operate with some level of ultimate foundations in theological accounts of God-given natural rights,

[18] It must be noted that in *The Theory of Communicative Action*, while not abandoning the program of formal pragmatics, Habermas does express some doubt about the possibility of reaching ultimate grounds for normativity: "We have by way of anticipation, characterized the rational internal structure of processes of reaching understanding in terms of (a) the three world-relations of actors and the corresponding concepts of the objective, social, and subjective worlds; (b) the validity claims of propositional truth, normative rightness, and sincerity or authenticity; (c) the concepts of rationally motivated agreement, that is, one based on the intersubjective recognition of criticizable validity claims; and (d) the concept of reaching understanding as the cooperative negotiation of common definitions of the situation. If the requirement of objectivity is to be satisfied, this structure would have to be shown to be universally valid in a specific sense. This is a very strong requirement for someone who is operating without metaphysical support and is also no longer confident that a rigorous transcendental-pragmatic program, claiming to provide ultimate grounds, can be carried out" (Habermas, 1984a: 137).

reason, etc. Similarly, both Hegel and Kant could be charged with using a highly speculative metaphysical foundation as the bedrock of their normative claims.

By extrapolating the universal features of formal pragmatics from a scientific (or at least scientifically testable) exploration of communicative action, Habermas is supposedly offering an in principle falsifiable post-metaphysical alternative to *God*, *objective spirit* or *a priori transcendence* as normative foundations for critique. As Habermas explains, formal pragmatics reveals an ever-present possibility of understanding in all instances of human communication, which means that people (even if they are only implicitly aware of the rules underlying the possibility of understanding) have recourse to an "anticipated" end-state where the conditions for a "good" outcome are met. "Good" in this context comes to mean a situation in which both parties to a discussion reach a state of impartial moral judgement:

> These expressions signify a procedure that is both open to hypothetical anticipation and susceptible of being actually carried out, a procedure that is meant to secure the impartiality of moral judgements. The exchange of arguments – unlimited in principle and unconstrained – among all those involved functions as a touchstone of whether a norm can be counted on to meet with grounded approval, that is, whether its claim to validity rightfully stands. A norm of action has validity only if all those possibly affected by it (and by the side-effects of its application) would, as participants in a practical discourse, arrive at a (rationally motivated) agreement that the norm should come into (or remain in) force, that is, that it should obtain (retain) social validity. (Habermas, 1982: 256–7)

As indicated in the above quote, the normative foundation in Habermas is – however idealized or abstract – actually meant to reflect a very real and feasible procedure that can be carried out in a non-ideal concrete social reality. We here see how formal pragmatics is supposed to be a steady non-speculative grounding for normativity. Held summarizes this ambition as such: "The end point of this argument [that consensus can be reached through the better argument in the ideal speech situation] is that the structure of speech is held to involve 'the anticipation of a form of life in which truth, freedom, and justice are possible'. Critical theory is, therefore, grounded on a normative standard that is not arbitrary, but inherent in the very structure of social action and language" (Held, 1980: 345).

It is of course clear that there is quite a bit of counterfactual thinking and anticipation of a hypothetical end-state going on here. In other words, this normative basis for critique is reached through some rather non-concrete or speculative steps. But here it is the point that the theory of formal pragmatics is

meant to show *that such speculative steps of anticipation is part of the very facticity of rational practical discourse*. In other words, it is simply a part of the process of reaching understanding and every bit as 'real' or concrete as the uttering of words themselves, since the general structure of understanding operates on the background of raising objective, social and subjective validity claims. As McCarthy succinctly sums up this point:

> Universal-pragmatic analysis of the conditions of discourse and rational consensus show these to rest on the supposition of an 'ideal speech situation' characterized by an effective equality of chances to assume dialogue roles. This unavoidable (but usually counterfactual) imputation is an 'illusion' constitutive of the very meaning of rational argumentation; in making it we anticipate a form of life characterized by 'pure' (unconstrained and undistorted) intersubjectivity. Thus the formal pragmatics conditions of possibility of rationally justifying norms of action or evaluation have themselves a normative character. The search for the fundamental principles or morals properly begins with a reflective turn, for these principles are built into the very structure of practical discourse. (McCarthy, 1984: 325)

So, when Habermas, with his turn to communicative action, makes "pure, unconstrained, and undistorted intersubjectivity" the standard with which social critique can be undertaken, this is not some axiomatic starting point (susceptible to the critique of being arbitrarily chosen). Instead, it is the product of a careful reflective and reconstructive investigation into the very real and factual process of human communicative understanding. As Habermas explains, all rational reconstructions have hypothetical status, and "[t]here is always the possibility that they rest on a false choice of examples, that they are obscuring and distorting correct intuitions, or, even more frequently, that they are overgeneralizing individual cases" (Habermas, 1990: 32). But this only means, according to Habermas, that we should always be prepared to further corroborate such reconstructions – and it should never discourage us from putting "rational reconstructions to the test, subjecting them to indirect verification by using them as inputs in empirical theories" (Habermas, 1990: 32).

If we accept that formal pragmatics provide a solid normative foundation for subsequent derivations of critical principles (such as the principle of universalization and discourse ethics), such that a social critical theory based thereon does indeed validate its own critical standards, the question of how well this foundation functions in terms of providing us with such critical standards remains. Here, there seems to be a trade-off between the ability to prove strong obligations and moral prescriptions on the one hand, and the plausibility of being

a universal or formal foundation on the other. What I mean by this is that if very strong prescriptive obligations are derived from some concrete social setting at a given time in history, those obligations will inevitable be charged with reflecting the moral leanings and sensibilities of that specific place in time and space. Especially in this era of post-structuralist insights, such prescriptions would (often rightfully) be suspected of simply reproducing certain power structures already in place (often as male, European, white power structures, etc.). That is to say, they can be suspected of simply maintaining the status quo and thereby failing their critical intention. Because this is indeed a very valid critique, Habermas has to resort to a normative foundation so minimal that such criticism can (seemingly) be avoided. This is exactly the point of his 'formal' theory of formal pragmatics, which is supposed to be a sort of 'thin' description of the rules of understanding, since the validity claims raised in attempts to reach understanding do not have any substantive or 'thick' content. In other words, while the claim of something being 'true,' 'right' and 'truthful' does refer to the actual content of that which is being said, the general idea of validation remains a 'neutral' or formal framework.

As Habermas sums up this normative foundation in the later work *Between Facts and Norms*, the obligations provided from such a formal foundation can only be "weak":

> Unlike the classical form of practical reason, communicative reason is not an immediate source of prescription. It has a normative content only insofar as the communicatively acting individuals must commit themselves to pragmatic presuppositions of a counterfactual sort. That is, they must undertake certain idealizations – for example, ascribe identical meanings to expressions, connect utterances with context-transcending validity claims, and assume that addressees are accountable, that is autonomous and sincere with both themselves and others. Communicatively acting individuals are thus subject to the 'must' of weak transcendental necessity, but this does not mean they already encounter the prescriptive 'must' of a rule of action – whether the latter 'must' can be traced back deontologically to the normative validity of a moral law, axiologically to a constellation of preferred values, or empirically to the effectiveness of a technical rule. A set of unavoidable idealizations forms the counterfactual basis of an actual practice of reaching understanding, a practice that can critically turn against its own results and thus transcend itself. Thus the tension between idea and reality breaks the very facticity of linguistically structured forms of life. (Habermas, 1996: 4)

Here we see that his normative foundations fail to provide us with direct moral instruction. Instead, this is a normative foundation of a procedural sort, in that it equals the bare rules (a sort of step-by-step procedure) for reaching understanding.

Interestingly, the actual substantive outcome of this procedure, that is to say some moral obligation arrived at through impartial moral judgment as per the ideal speech situation, is itself subject to revision and critique. It is in this sense that a normative foundation based on formal pragmatics transcends itself: The critical standards derived directly from the very structure of rationality can turn on themselves, since they must always be able to back up their own claims to validity. In this sense, the formal logic and normative power of formal pragmatics (the underlying claims of validity) remain even if the actual content of moral prescriptions change as per the procedure of reaching argumentative understandings.

II Reconstructed normative standards and history

Somewhat paradoxically, by turning to the formal structures of rationality itself through formal pragmatics, Habermas is aware that he reaches his conclusions on the basis of a certain historical process, through which he has gained concepts and the vocabulary necessary for making inferences about the structure of rationality – Habermas knows that he himself is operating within a given historical rationality. Yet it is this point in time and intellectual development (rationality) that has made it possible to formulate such a 'thin' or formal normative basis for critique:

> [Critique] must be oriented to the possibility of learning processes opened up by a level of learning already achieved historically. The critique of ideology can no longer set out directly from concrete ideals intrinsic to forms of life, but only from formal properties of rationality structures. These are of course expressed in concrete forms of life, in particular cultural traditions, institutions, patterns of justification, identity formation, and so on; but they vary in accordance with universal points of view. (Habermas, 1982: 254)

Here, Habermas distinguishes between the expression of rationality in everyday socio-historical instances and the formal properties of rationality. Where the former obviously differs over time, it is Habermas' rather astonishing claim that such variation happens "in accordance with universal points of view" – that is to say, happens in accordance with the structures of universal validity spelled out in his theory of formal pragmatics. In other words, we find ourselves in the peculiar situation that it was only via a specific (contingent, i.e., non-inevitable) moment in time that we developed an understanding of communication that then allowed

us to derive formal standards (non-contingent) about the validity of communication itself.

As shown in the quote above, what seems rational and reasonable will of course vary over time and in accordance with the variance of "concrete forms of life," "cultural traditions," "institutions," "patterns of justification," "identity formation" and the like. But with the development of our understanding of formal pragmatics, critical theory has reached a stage where we can deal with such variance in what seems right and reasonable from the vantage point of the formal structure of rationality itself. That is to say, we can *know* that our understanding of what is right and/or reasonable in everyday matters of political and/or moral questions is contingent and open to change. And yet we can remain comfortable with this knowledge, since we have come to a point in time where we understand the underlying formal structures of such changes in meaning in the first place. This is a comfortable knowledge, since it allows us *to keep checking the validity of such changing perceptions of rightness even as they change.* It is this new comfortable position which Habermas refers to when he proclaims that critique now must be directed at "learning processes opened up by a level of learning already achieved historically" (Habermas, 1982: 254). This means that access to the critical evaluative standards of formal validity claims represent a historically situated "level of learning" that allows us to critically assess developments in our morality (learning processes) as this development is expressed in our institutions, cultures, forms of life, etc.

As Habermas explains in relation to his later concept of discourse ethics from *The Theory of Communicative Action*, which builds on and must be seen as a continuation of formal pragmatics in that it continues the same program of finding the universality of rationality and communicative action, "[w]ith the discourse ethics as a guiding thread, we can indeed develop the formal idea of a society in which all potentially important decision-making processes are linked to institutionalized forms of discursive will-formation. This idea arose under specific historical conditions, together with the idea of bourgeois democracy" (Habermas, 1982: 262). The idea itself, in other words, does not come to us from nothing. On the contrary, the notion of discourse ethics is – similar to formal pragmatics – tied to a specific history of modernity and "bourgeois democracy" that allowed for its emergence. Importantly, this recognition that Habermas' claims to universality are bounded to history does not mean that Habermas is elevating a particular form of life (that of modern bourgeois democracy) to a universal ideal. That would of course be an example of a mistaken Eurocentrism and a seemingly arbitrary glorification of one particular form of life over others. As Habermas

explains: "However, the attempt to specify an equivalent for what was once meant by the idea of the good life ought not to mislead us into *inferring* an idea of the good life from the formal concept of reason with which the decentered understanding of the world in the modern age has left us" (Habermas, 1982: 262). In other words, in the modern age of what Habermas here calls decentralization, there is of course an absence of any one privileged form of life with a monopoly on the definition of 'the good life.'

That, however, does not preclude Habermas from "specifying an equivalent" to this notion of the good life under the condition of a scattering of values, forms of life, cultures, practices and so on. Only, such an equivalent must reflect the irreducibility of modern value pluralism – understood here as pluralism in forms of life – and be satisfied with only establishing the most formal structures of 'the good life,' such as the universal validity claims underlying any attempt at reaching mutual understanding as in the case of formal pragmatics. As Albrecht Wellmer explains:

> For this reason we can specify only certain formal conditions of a rational life – such as *universalistic moral consciousness*, *a universalistic law*, *a collective identity that has become reflective*, and so forth. But insofar as we are dealing with the possibility of a rational life in the substantial sense, with the possibility of a rational identity, there is no ideal limit value describable in terms of formal structures. There exists rather only the success or failure of the efforts to achieve a form of life in which the unconstrained identity of individuals, along with unconstrained reciprocity among individuals, becomes an experienceable reality. (Wellmer quoted in Habermas, 1982: 262)

What Wellmer here calls "the formal conditions of rational life" (such as the formal pragmatics underlying attempts at mutual understanding) cannot be translated into a substantive ideal, a blueprint for the right way to achieve the good life. The actual content that fills out the space left by, for instance, a "universalistic moral consciousness," must remain open to constant reinterpretation. Put another way, we might be able to deduce the conditions for successful identity formation, but that is not the same as determining the best possible identity. What is important in this context of analyzing the relationship between formal pragmatics and history is that it is possible to arrive at a time and place in history where rationality became self-referential in a way that allows for a description of its own formal structures. The fact that the formulation of those formal structures was done in a specific historical context is not grounds for

dismissing the possibility of their universal – and indeed context-transcendent – character.

So, in a sense Habermas' formal pragmatics is grounded both within history while also holding a privileged position outside of it. It is informed by the development in our understanding of rationality leading up to it, and yet its formal character is supposed to 'withstand' such development. This rather unique property of formal pragmatics having been both derived from within history while also describing a formal structure that stands outside of history is certainly difficult to grasp. One way of describing how this actually works theoretically is to show how it mirrors Habermas' claim that his reconstructive method breaks away from the normal Kantian distinction between transcendental *a priori* knowledge and empirical *a posteriori* knowledge. The former refers to the idea that it is possible to look at reality and the unfolding of history from "invariant points of view" (Habermas, 1979: 24–5). This is the pure Kantian notion of transcendence, where it is possible to evaluate reality from a standpoint that is categorically divorced from that same reality. This standpoint is thus purely formal. Conversely, the latter notion refers to all those judgements we make on the basis of actual empirical experiences. Such judgements are precisely the opposite of formal in that they are completely contingent upon the actual unfolding of events and our experience of those. For Kant, this was a necessary categorical distinction, but with Habermas' reconstructive method this distinction no longer makes sense. Here, the formal structure of formal pragmatics is necessarily learned from experience, and yet it retains its formal property of delivering an "invariant point of view." As Habermas explains:

> [T]he distinction between drawing on a priori knowledge and drawing on a posteriori knowledge becomes blurred. On the one hand, the rule consciousness of competent speakers is for them an a priori knowledge; on the other hand, the reconstruction of this knowledge calls for inquiries undertaken with empirical speakers – the linguist procures for himself a knowledge a posteriori. (Habermas, 1979: 24–5)

In this sense, Habermas' reconstructive method draws on "a type of research determined by a peculiar connection between formal and empirical analysis rather than by their classical separation. The expression *transcendental*, with which we associate a contrast to empirical science, is thus unsuited to characterizing, without misunderstanding, a line of research such as formal pragmatics" (Habermas, 1979: 25).

The way I see it, it is possible to equate the role empirical *a posteriori* knowledge plays here with the role history plays in Habermas' theory of formal pragmatics. Formal pragmatics stands in the same relation to experienced knowledge as it does to history: It is necessarily informed by or derived from both, and yet it describes a formal structure that stands outside of it.[19] In this way, the reconstructive method dissolves this distinction between within and without history.

It should be noted that in *The Theory of Communicative Action* Habermas chooses to establish the plausibility of his claim of being able to demonstrate a universal validity of rationality – originally posed by his theory of formal pragmatics – by grounding this claim of universality, so to speak, in an investigation of the "history of social theory" (Habermas, 1984a: 140). Here, Habermas realizes that direct empirical validation of pragmatics is, while in principle possible, still not probable. We still cannot, as Habermas puts it, deal with the problem frontally. Consequently, Habermas has to resort to investigating the unfolding of the underlying idea of formal pragmatics (a universal content to rationality) in the social theory literature (Weber, Lukács, Horkheimer, Adorno, Durkheim and Parsons) – not as a history of ideas, but as "history of theory with systemic intent" (Habermas, 1984a: 140). So, there is here another connection between history and rationality, in that it is validated through an investigation of its emergence in social theory literature – a history that not only mirrors the development of the social fabric of life through its description and explanations thereof, but also in some way influences this social fabric by instilling new ideas and potential resources for emancipation and critique.

As Habermas describes this connection: "social-scientific paradigms are internally connected with the social contexts in which they emerge and become influential. In them is reflected the world- and self-understanding of various collectives; mediately they serve the interpretation of social-interest situations, horizons of aspiration and expectation" (Habermas, 1984a: 140). Now, for the purposes of the current analysis of formal pragmatics, Habermas' attempt at validation in works subsequent to the initial formulation of the theory itself is of lesser importance, since what is of primary interest here is the idea itself. However, Habermas' treatment of the idea of a universal content to rationality in *The Theory of Communicative Action* is worth including, since it shows the importance

[19] It should be noted that Habermas himself hints at a different terminology here, suggesting that the model of "deep and surface structure" might better lend itself to understand this distinction between "being derived from within" and still "formally standing without." Note that Habermas is here addressing the difference between *a priori* knowledge and *a posteriori* knowledge, and is not directly speaking to the concept of formal pragmatics in relation to history (Habermas, 1979: 24).

Habermas keeps placing on maintaining a strong bond between developments in the social fabric of society, history and his universal concepts.

Past, present and future – the teleological premise in Habermas' reconstruction of formal pragmatics

Having laid out the central elements of Habermas' reconstruction of formal pragmatics and its normative content, we can start adding substantive content to the otherwise bare structure of Figure 10. It should be noted that Figure 10 is of course an idealized model and that the procedures of each step will overlap. This reconstructed procedure must be understood as recursive much in the same way as Valsiner described the psychology of relating past, present and future (Valsiner, 2015: viii). The reconstruction of the idealized process of mutual understanding in formal pragmatics is recursive in this way: We see a normative past and present projected onto a hypothetically anticipated future and brought back to the present as an idealized normative standard. Recursion thus occurs when the normatively desirable is derived from an interplay between past, present and future.

Following the step-by-step reconstructive procedure, Habermas starts in a first step by singling out communication as the fundamental social phenomenon underpinning any and all action coordination and thus any and all political and ethical development as well as social reproduction. This idea is then traced back to its historical roots through two separate operations. On the one hand this is accomplished through relating it to and checking it against the history and development of social theory. Habermas here traces his own concept of formal pragmatics through the philosophy and linguistic-pragmatic works of, among others, Austin, Searle and Chomsky. Habermas could be said to be corroborating or validating his initial intuition that communication is of fundamental importance for social life through discovering how this works. In *The Theory of Communicative Action*, a similar operation takes place by grounding the idea of a universal content to rationality via an investigation of this idea in the social theory literature of Weber, Lukács, Horkheimer, Adorno, Durkheim and Parsons. On the other hand, Habermas is also grounding his idea of discovering a universal normative content in the validity claims underpinning communication aimed at reaching mutual understanding in a specific historical context, namely that of modernity and the ideal of rational will-formation in bourgeois democracy. *Nihil sine causa*, nothing without a cause, as the saying goes, and so it is here also: The idea of a formal universal normative content to communication is indeed rooted in a specific moment in time.

Then, in a second step, Habermas both synthesizes and develops the above-mentioned ideas and concepts found in the historical literature, as one would normally do in theorizing. Habermas uses the existing social-theoretical knowledge to construct his own theory of formal pragmatics. Had he stopped there, this step would form the basis for an immanent critique if, let's say, the idea of the democratic promise inherent to mutual understanding and rational will-formation was used as an evaluative standard for judging the current state of institutional democracy. In this account of Habermas' theorizing, for now this step only constitutes the actual reconstruction of the normative and universal content of validity claims underlying attempts by competent speakers to reach mutual understanding.

These first two steps of the process of critical reconstruction could be said to be non-ideal theorizing inasmuch as the theorized normative content of universal validity underpinning communication is supposed to be derived from the facticity of social and historical development. In other words, all the real-world constraints and boundary limits of actual human communication are taken into account and included in the process of theorizing.

Subsequently, in a third step, Habermas uses his now fully theorized concept of formal pragmatics – reconstructed from the history of social theory and from the historical development of rationality itself – to imagine a future point in time in which the normative content of this concept is fully realized in an unconstrained manner. This means a hypothetical anticipation, in the case of formal pragmatics, of an ideal speech situation where the validity claims of truth, rightness and truthfulness that underlie any attempt to reach mutual understanding are fully satisfied. This step of course closely resembles ideal theorizing, since such a hypothetical situation is constructed without paying attention to non-ideal circumstances, feasibility constraints, compliance, etc. These somewhat abstract validity claims could also, as in the case of *The Theory of Communicative Action*, be interpreted or translated into the institutional arrangements required for their realization (the democratic institutions required for unhindered rational will-formation). Regardless, with this step Habermas moves beyond the historical boundedness of his reconstructed concept or theory and stretches the normative content thereof to its limit, as realized in an unhindered manner. It is in this *specific* sense that I believe Habermas is working with teleological reasoning. Here, a direction or aim understood as the full realization of the normative potential in unhindered mutual understanding is attributed to communication, though this telos is of course not understood as deterministically necessary in any way. This hypothetically anticipated state of affairs thus transcends its historical

reconstruction, insofar as it now becomes a point of normative invariance along which variations in the normative content of present communication or the institutions facilitating it can be evaluated.

Finally, this leads to the fourth step of this critical procedure, where the now transcendent hypothetical ideal is recursively brought back to the present facticity as an evaluative standard. With formal pragmatics, Habermas can use the idealized counterfactual of an unhindered practice of mutual understanding, in which all validity claims are supported, and hold the actual and often messy practice of real-life communication up against this standard – the telos of fully realizing the normative potential of true, right and truthful utterances. It is in this final step that the whole procedure finally pays of, so to speak, and delivers on the promise of providing an immanently derived yet context-transcending evaluative standard. Importantly, this standard is only informed, as we have seeen, by the "weak transcendental necessity" of hearer and speaker (or critical analyst) counterfactually ascribing to the utterances of each other (or utterances in general) truth, rightness and truthfulness. In other words, this is still a purely formal standard insofar as is it cannot directly prescribe action-guiding rules or principles. This formal and highly idealized standard must always be locally translated into the context to which it is applied in order to deliver action-guiding principles, either "deontologically to the normative validity of a moral law, axiologically to a constellation of preferred values, or empirically to the effectiveness of a technical rule" (Habermas, 1994: 4). Still, it is a quite remarkable achievement of this critical reconstructive procedure to have produced a stable formal standard that can function as the basis for any and all such subsequent translations.

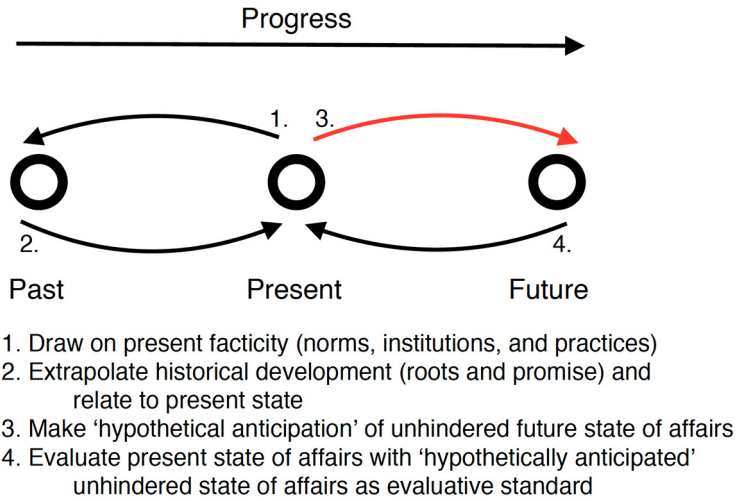


Figure 10. Reconstruction of evaluative standards displaying a recursive relationship between past, present, and future.

Relating these reconstructive steps in Habermas to the notion of progress included in Figure 10 – and indeed to the notion of teleological thinking – is a potentially hazardous endeavor. It is therefore crucial to emphasize how 1) what I call teleological reasoning in Habermas has nothing to do with predicting the future and only refers to an idealized and anticipated state of affairs with which to normatively evaluate progress or regress. Progress in this context, then, does not entail some necessary direction of history, and should only be understood as the potential realization of the normative content in formal pragmatics. As Habermas warns us in regard to both teleology and progress: "One can learn from the course of critical theory why the foundations of the critique of ideology in a philosophy of history developed cracks. Assumptions about a dialectical relation between productive forces and productive relations *are pseudo-normative statements about an objective teleology of history*" (Habermas, 1982: 253, emphasis added). And further, "[i]n claiming universal validity – with, however, many qualifications – for *our* concept of rationality, without thereby adhering to a completely untenable belief in progress, we are taking on a sizable burden of proof" (Habermas, 1984a: 138). Hopefully is should be clear that the notions of both teleology and progress with which I have analyzed Habermas here neither constitute such a pseudo-normative objective telos nor any such completely untenable belief in progress. First, because the telos here is not an objective or deterministic outcome but rather are purely formal and hypothetical ideal that, while derived from history, lays no

claim to be able to predict the future. Second, because the notion of progress simply refers to a possible outcome of full normative realization and indeed can be used to critically point out what must in principle be viewed as equally possible outcomes of regression.

III Recursion in the process of formal pragmatics

Now we can finally turn to the analysis of formal pragmatics as a process describable in the form of a recursive transition network. Here, we can see how the 'rules' guiding this process in formal pragmatics make it recursive. As Habermas explains:

> The task of the theory of a universal grammar is the rational reconstruction of a system of rules that is not yet recognized or theoretically specifiable even though it is already practically mastered and to that extent known. Reconstruction should make it possible to derive a structural description for every relevant expression of a language […]. Since it is impossible to enumerate all the relevant expressions of a language, it is further necessary that the rules of the system be *recursively* applicable formation rules. (Habermas, 2001: 69)

With a 'translation' of formal pragmatics into a recursive diagram explaining these rules, emphasis will be on the procedural aspects of the concept. That is, the procedure of alter and ego trying to reach mutual understanding through the exchange of utterances. But the normatively substantive content of formal pragmatics should of course not be forgotten. The weak transcendental 'ought,' described above, is still present in formal pragmatics even when described purely as a procedure. With this caveat in mind, we can turn to the benefits of depicting formal pragmatics in the diagram form of a recursive transition network (see Figure 11). The goal of this operation is to – by mapping out formal pragmatics as a step-by-step procedure whereby utterances are discursively redeemed before mutual understanding is achieved – be able to locate exactly where recursion comes into play. Here, I am not referring to the recursion of Habermas' reconstructive method and its teleological premise, but rather to recursion as a property of communicative action aimed at understanding.

As explained above, formal pragmatics describes how an utterance put forth – in the idealized context of an attempt at reaching mutual understanding – is automatically accompanied by three claims to validity: that it represents a factual truth, that its speaker is sincere and that the utterance is therefore truthful, and

that its content is normatively acceptable. In Figure 11, this is shown by the three arrows leading from the *Utterance* node to the nodes *Claim to Truth*, *Claim to Truthfulness* and *Claim to Rightness*. At this point in the process, each of those claims to validity must be discursively redeemed in a process between speaker and hearer. Claims to truth in the form of objective facts or theories must be presented and defended. Likewise, claims to truthfulness must be shown by sincerity of the speaker established either historically or in the future. Finally, claims to rightness must be demonstrated by establishing correspondence between the utterance and the normative context in which it is uttered. If the three claims to validity are discursively redeemed between speaker and hearer in this way, the validity of the utterance is accepted. This is shown in the network by the three arrows leading to the *Acceptance* node. Under these conditions mutual understanding is reached and the process terminates.

If, however, the accompanying validity claims are challenged, that is to say that they cannot be discursively redeemed, recursion enters the process. This is illustrated by the arrows leading from the nodes *Claim to Truth*, *Claim to Truthfulness* and *Claim to Rightness* to the node *Challenge*. This path is taken when either the fact or theories presented cannot be redeemed as representing objective truth, when the sincerity of the speaker is doubted because of previous or future instances of insincerity or when the normative underpinnings of the utterance are out of sync with the established sense of rightness in the given context. The node *Challenge* is recursive because – provided that the speaker is still insistent on trying to reach mutual understanding – it starts off a new round of communicative interaction between speaker and hearer. This new round is an exact copy of the overall recursive transition network, complete with new utterances and claims to validity that must be discursively redeemed, and which again can be either accepted or challenged. The process thereby contains itself and is thereby recursive, as shown by the dotted box circling the *Challenge* node. It is only if the validity claims in some round are eventually redeemed that the procedure bottoms out and we return back through the layers of discourse, resulting in mutual understanding. If validity is never redeemed the procedure is endless and we never reach mutual understanding.

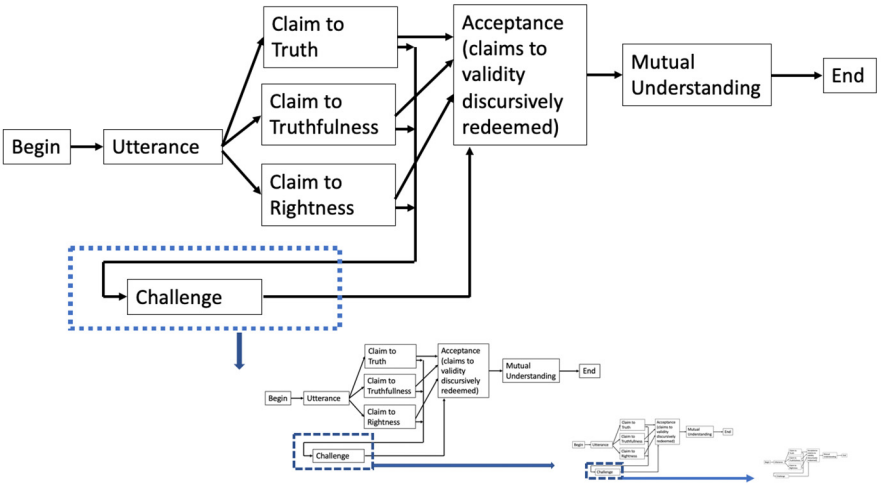


Figure 11. Recursive transition network for formal pragmatics.

Using this illustration of formal pragmatics as a recursive transition network procedure, we can now turn to using the three properties of recursion. With these properties of recursion as an analytical frame we can derive the recursive properties of formal pragmatics. With this I intend to show how it is recursion that ultimately provides formal pragmatics with its normative potency as a fixed-yet-flexible critical concept. Table 2 shows each of the three properties of recursion in the left-hand rows and identifies the corresponding recursive properties in formal pragmatics in the column next to them.

Table 2. The three properties of normative recursion and the corresponding recursive properties in Habermas' concept of formal pragmatics.

Normative Recursion	**Formal Pragmatics (Habermas)**
Self-reference (and self-calling)	Formal pragmatics as self-referencing procedure Call for redeeming the validity of utterances
Self-embedding (and hierarchical order)	Demand for discursive validation Rounds of discursive validation/challenge always possible
Single source or rule, infinite outputs from finite input (and expansion of information)	Formal pragmatics as normative foundation (same process repeated) No upper limit to amount of utterances (limit to what counts as redeemed validity) Expanded reservoir of meaning through mutual understanding

We can start by looking at the properties of *self-referentiality* and procedural *self-calling* in the first row. These recursive properties, as previously explained, respectively capture the capacity to be able to refer to oneself as well as the procedural capacity of being able to call upon this self-reference as a copy of the overall procedure. In the recursive transition network for formal pragmatics both of these capacities are present. The node *Challenge* clearly represents a self-reference since it denotes an exact copy of the overall procedure of formal pragmatics. And further, in the cases of non-redeemed validity claims, the process calls upon itself by demanding that a new round begins. Formal pragmatics is therefore recursive in these senses, because it describes a procedure of discursive validation that can demand further procedures of discursive validation. The recursive property of self-calling inherent in communicative action aimed at reaching mutual understanding can be seen when analyzing formal pragmatics as a normative foundation. In formal pragmatics, we will recall, this foundation consists in the linguistic conditions that underpin mutual understanding. It is my argument that part of this ground is exactly the recursive property of self-calling. Formal pragmatics can only be said to validate its own standards, and thus function as a normative foundation, because it describes a communicatively rational procedure that can self-critically turn inwards and apply itself to itself. This procedure is foundational in the sense that it provides an unconditional ground (Habermas, 1990: 19). I understand this kind of self-validating and unconditional normative foundation as a recursive grounding and I have, with the recursive transition network, tried to show it through the properties of self-referentiality and self-calling.

Next, we can proceed with the recursive properties of *self-embedding* and *hierarchical ordering* in the second row. Where self-embedding refers to the capacity of a process to recursively insert its own copy into itself, hierarchical ordering refers to a capacity to establish an order between such copies by keeping track of the layers of copies that are its result. The self-embedding property of formal pragmatics is located with the node *Challenge* in Figure 11, as it is at this location in the procedure that we encounter the copy of the overall system. What is represented by the embedding of the node *Challenge* is the feature of formal pragmatics that all utterances come with a demand for validation. This follows from the circumstance that formal pragmatics describes an intersubjective process between, in the simplest case, two people, and not one-directional speech void of any intention of reaching mutual understanding. In other words, the embedding of the node *Challenge* is there because formal pragmatics is a mutual process where one person can demand of another that their discursive validity claims be redeemed. This demand is of course also present in cases where validity is

redeemed and the truth, truthfulness and rightness of the utterance are accepted. But here it is not a recursive demand, since the process ends with mutual understanding. With a challenge to the validity of the utterance, the process starts over within a copy of the whole process. This leads to the recursive property of hierarchical ordering, since the people engaged in the communicative process of trying to reach understanding will naturally keep track of where they are in the process. In other words, the participants demanding and trying to provide discursive validation will themselves keep track of which utterance or restated version thereof they are engaged in, thereby recursively creating a hierarchy.

With this, we can move on to the recursive property of *multiple outputs stemming from a single rule or source* in the third row. This recursive property refers to the capacity that a potentially infinite amount of iteration can stem from the same single rule. In the case of formal pragmatics, this recursive property once again points to the foundational characteristics of the concept. Understood as a procedure, formal pragmatics describes the same unconditional mode of operations for what it means to communicatively reach understanding regardless of the spatiotemporal context. In other words, all utterances – across contexts with competing ethical conceptions of the good, different languages or different histories and traditions – come with three claims to validity that the speaker must be able to redeem. In this way, formal pragmatics describes one single rule from which an unimaginable amount of different mutual understandings can be produced in different contexts.

This recursive property is, in other words, present in the formal character of formal pragmatics. It represents a reconstructed invariant point of view that transcends all contexts, even the one from which it was reconstructed. In this way, the invariant point of view of formal pragmatics – the idealization that attached to all utterances aimed at reaching understanding are three claims to validity which we are required to redeem discursively – applies with equal normative force to completely different instances of communicating. If, for example, we imagine two radically different closed-off societies, with different and perhaps even incompatible traditions and norms, it is clear that validity claims will be redeemed with different truths and appeals to normative rightness. But they would nevertheless both be following the same formal rules for this process, and the normative demand for validation would apply in the same way in both settings. In this way, formal pragmatics displays the recursive property of a single rule capable of producing multiple outputs.

From this we can see a close connection to the recursive capacity of being able to produce *infinite outputs from finite inputs*. This dimension of recursion refers to

the capacity of a process to not predetermine how many different expressions can result from following the same recursive rule; that is, an open-endedness to the variety of results that are produced by the procedure. This is a crucial recursive property in formal pragmatics, since it refers to the capacity of this concept to not pre-determine what counts as truth, truthfulness or rightness. In other words, the property of formal pragmatics that ensures that discursive validation processes will substantively always be able to be expressed with new and thus far unimagined truths, modes of what counts as sincerity, and with reference to new normative backgrounds in terms of appeals to rightness. As a simple example, new scientific paradigm shifts could potentially shift our understanding of what counts as objectively true. And similarly, just as the attitude towards the normative rightness of, for instance, same-sex relationships has shifted in many places over the past fifty years, so too could we imagine new shifts in our normative attitudes as we go forward.

The formal character of formal pragmatics allows for such developments because of its openness with regard to what concretely counts as valid truth, truthfulness and rightness. Within formal pragmatics, as might be recalled, it is with the people engaged in intersubjective discourse that the power to make such determinations is located. Herein lies, I believe, the normative potency of recursive critical concepts, since in this way they are capable of delivering useful normative evaluative standards that still leave open the possibility of infinitely many expressions thereof. In that way, this recursive property makes sure that the normative force of these standards never becomes oppressive. In the case of formal pragmatics, only genuine persuasion could force a shift in perception. In other words, only via the non-oppressive forceless force of the better argument. This recursive property is paramount to what I believe to be a requirement of critical concepts in an era of increasing truth pluralism and perhaps even value incommensurability.

Finally, we can end with a look at the closely connected recursive feature of *an expansion of information*. This recursive trait shows itself in the fact that the output of the recursive operation is fed back into the system, such that more meaning or information is added and the complexity of the system increases. With formal pragmatics, recursion of this sort becomes manifest when the outcome of the procedure – a new instance of mutual understanding – becomes available as meaning to draw upon in future rounds of attempting to reach understanding. Those truths, truthful attitudes and norms of rightness that have previously been established and accepted as validity redeeming will be the natural place to begin in new rounds of communicative action aimed at understanding.

Chapter Four

Recognition and social freedom in Honneth – recursive grounding of normative concepts

In this chapter I analyze Honneth's critical concepts of recognition and social freedom. In doing so, I also analyze the method of philosophical-anthropological reconstruction of identity-formation in *Struggle for Recognition* and the method of normative reconstruction in *Freedom's Right.* Crucially, this analysis is done through the prism of understanding these methods' teleological premises as recursive. I further argue that Honneth's idea that critical concepts can contain a normative validity surplus is recursive. In order to make these arguments without causing undue confusion, I believe it is important to begin with some remarks on the difference between the two reconstructive methods and their shared teleological underpinning (for a good introduction to the methodological shifts in Honneth, see Lysaker et al., 2015: 3–10).

As Allen succinctly summarizes Honneth's philosophical-anthropological reconstruction of recognition, this method relies on a "sociological analysis of experiences of injustice and struggles for recognition; on the basis of this analysis, Honneth then offers an abstract formal conception of ethical life that attempts to spell out the necessary conditions for full ethical self-realization [that in turn] serve as the normative standard for social critique" (Allen, 2016: 81). Here, we find a methodological emphasis on a sociological and anthropological grounding in social actors' experiences of injustice, which – coupled with a philosophical reconstruction of identity-formation and recognition – forms the basis for a formal normative evaluative standard. As Danielle Petherbridge emphasizes regarding the formality of Honneth's standards:

> Such an orientation towards ethical values is, however, not intended to provide a substantive notion of 'The Good Life'. Rather, Honneth wants to account for a notion of ethical life in formal terms only: the three independent patterns of recognition are intended to account for successful self-realisation in an abstract

> manner in an effort to avoid embodying particular versions of the good life. (Petherbridge, 2011: 14)

Concerning the method of normative reconstruction that Honneth utilizes to investigate social freedom in *Freedom's Right*, the main methodological difference from the above is that Honneth's grounding here comes from an analysis of those societal norms and values that have been historically justified in a society's institutions and practices. With this analysis, Honneth's formal normative evaluative standard is now derived from those institutionalized norms and values. Normative critique is thus based on a comparison between, on the one hand, the normative yardstick of an idealization of what full realization of those norms and values would look like institutionally and, on the other hand, an empirical analysis of the actual state of affairs in this regard.

As Allen correctly points out, this method of normative reconstruction is related to Habermas' reconstruction, but differs in its explicit focus on historical learning processes rather than the structure of language aimed at mutual understanding:

> [Normative reconstruction] is distinct from, though not wholly unrelated to, the method of rational reconstruction employed by Habermas […]. Whereas Habermasian rational reconstruction aims to reconstruct the implicit know-how of competent communicative actors to putatively universal features of the pragmatic use of language, Honneth's normative reconstruction starts with the values and norms that have been immanently justified through historical learning processes – that is, with the values that are embodied in our enduring social institutions and practices – and then, in turn, analyses existing institutions and practices in light of the degree to which they embody and realize values that have been socially legitimated through those historical processes. (Allen, 2016: 92).

Importantly, there remains – as I argue in this chapter – a teleological through line in Honneth's normative theory, even with this methodological shift from individual experiences of injustice to institutionalized values. As Zurn points out (from a critical stance towards Honneth's use of teleology in his work on recognition), the idea of self-realization here becomes a universal and "uniquely privileged normative telos [that can] serve as the critical yardstick for the social conditions of the good life" (Zurn, 2000: 119; see also Allen, 216: 81–3). And as Allen summarizes Honneth's explicitly teleological position in *Freedom's Right:*

> the teleological understanding of history, which is itself a feature of modernity's own self-understanding, allows Honneth to argue not only that justice and freedom *are* linked in modernity but that they *ought* to be, precisely because this

> link represents progress over premodern normative political self-understandings, and the reversal of this link would signal a return to cognitive barbarism. (Allen, 2016: 93)

Here, the historically institutionalized value of social freedom takes on the mantle of a normative telos from which evaluations of justice can be made. I argue that this move, where justice and freedom gain their justification as the values from which we should generate *oughts* because they already *are* historically institutionalized, reveals the recursive nature of Honneth's teleology.

With this initial clarification on the difference between philosophical-anthropological reconstruction and normative reconstruction in mind, this chapter starts by exploring what I, following Zurn and Allen, argue is the teleological premises of both *Struggle for Recognition* and *Freedom's Right*. The focus will be on Honneth's use of reconstruction, the notion of moral progress and how teleology underpins Honneth's arrival at evaluative normative standards. Emphasis is also placed on the formal status of the normative standards Honneth derive from recognition and social freedom. (**Section I**)

Next, the chapter isolates the notion of a normative validity surplus from Honneth's outline of a plural theory of justice, which followed his work on recognition but predates *Freedom's Right* (Honneth, 2004). The construct of a validity surplus in critical normative concepts functions as a safeguard against charges that they contain a status quo bias and merely reproduce the normative horizon from which they were derived. The idea of such a surplus will be analyzed as a recursive property of recognition along with Honneth's general teleological premise in the subsequent sections. (**Section II**)

Following, the next section shows the recursive properties of the reconstructive method as presented in Figure 12. Here, the connection between teleology and recursion in Honneth is made by showing how meaningful normative evaluations of justice in the current state of affairs can be made on the basis of an anticipated end-state derived from the internal logic of the present. (**Section III**)

Finally, I analyze recognition as an intersubjective *process*. By presenting recognition as a recursive transition network I can use the three properties of recursion as an analytical frame. I will here relate this analysis of the recursive properties of recognition such as its normative validity surplus and formal character to the overarching aim of the thesis – to show how recursion allows for critical concepts to be fixed-yet-flexible evaluative points of reference. (**Section IV**)

I Moral progress as struggles for recognition

It is clear that in Honneth's theory of recognition both the content of recognition to which different struggles can make reference as well as the event of a struggle for recognition itself, in the form of a political uprising or a social confrontation, must be understood in reference to the movement of history and the moral development of a society in order to make sense. If not, such events and calls for recognition only appear as episodic or spurious moments. That would of course not be satisfactory for a theoretical framework that seeks to explain the moral progress of the emergence of modern law and the ever more individualized and egalitarian category of social esteem as the direct outcome of different struggles for recognition. As Honneth explains, it is the problem with mere historical accounts of such struggles that they fail to see them in relation to the arch of moral progress, whereby they only appear as episodes void of a broader meaning in relation to the question of justice: "Whether they [social confrontations and political uprisings] are spontaneous revolts, organized strikes, or passive forms of resistance, the events depicted always retain something of the character of mere episodes, because their position within the moral development of society does not, as such, become clear" (Honneth, 1996: 168).

So, for Honneth, the task is to develop a theory of recognition that both explains how the singular event of a struggle for recognition occurs (sparked through withheld recognition in the form of disrespect), and how such occurrences – when all of them are viewed together – can make sense as the fabric of the historical and moral development of a society. In this section, I will be focusing on this latter task. As Honneth himself explains, in order to bridge the "gap between individual processes and an overarching developmental process," he has to develop a theory in which "the logic according to which recognition relationships are expanded itself becomes the referential system for historical accounts" (Honneth, 1996: 168). In other words, when Honneth is describing the logic of how recognition relationships expand, he is not just explaining a psychological-sociological process of a kind of human interaction called 'struggle.' Rather, he is tying the logic behind this interaction to the moral and historical development of a society, such that this logic can be put to work as a referential system with which these developments can be made sense of and even evaluated: "Posing the task in this way makes it necessary to conceive of the model of conflict discussed so far no longer solely as an explanatory framework for the emergence of social struggles, but also as an interpretive framework for a process of moral formation" (Honneth, 1996: 168).

At this point it can seem unclear whether it is the logic of struggles for recognition that makes sense of historical and moral development, or if it is the other way around, such that historical and moral development makes sense of the logic underpinning struggles for recognition. I will here show that this sense-making works both ways in Honneth. Indeed, it is the point that the logic behind how the relations of recognition are expanded, i.e., what counts as worthy of recognition and who counts as recipients thereof, is the very logic of moral progress (or in the case of withheld recognition or a subtraction of the categories of recognition, the logic of moral regression). In that sense, we are not to understand the moral development of a society as some external resource to which we can refer in order to make sense of political revolutions, class strife, equal rights movements, etc. Rather, though moral development is indeed a resource with which we can make sense of and evaluate such events, its logic is internal to the phenomenon of recognition itself.

Post-conventional modern law as an example of moral progress

It will be helpful to consider the example of modern law in order to better understand how this connection between the logic of the expansion of relationships of recognition and moral progress is to be understood. On Honneth's account in *Struggle for Recognition*, the legal relationship of recognition changes and expands on the doorstep to modernity. Here, legal recognition in the form of law follows the shift initiated by philosophy and political theory from conventional to post-conventional principles (Honneth, 1996: 109). This shift to post-conventionalist principles in philosophy refers to a separation of hierarchical status from moral worth, such that societal standing no longer in itself has any bearing on the determination of a person's moral value. In the context of legal recognition, this means that one's status as a legal person now stems from a mutual recognition between citizens of each other as autonomous persons with the capability to use reason to make decisions about moral questions, and not from one's inherited societal standing (Honneth, 1996: 110). In this process, legal recognition is universalized (in the sense of being generalized) and de-formalized, since it is now a recognition of the universal human feature of moral autonomy and rational decision-making capabilities (as opposed to recognition of worth tied to the social status of office, family legacy, etc., which is per definition particularistic and formal). Now, legal recognition is much more than just the recognition of political rights (i.e., the right accorded to the citizen of freedom, defined negatively as freedom from arbitrary power and the right to individual self-determination). Instead, legal recognition is now also a recognition of the

recipient as a person of such moral quality that this person is included in the political body of citizens who have the authority to grant rights and legal recognition in the first place. In other words, with this post-conventional legal recognition, "one is able to view oneself as a person who shares with all other members of one's community the qualities that make participation in discursive will-formation possible" (Honneth, 1996: 120).

Now, with this brief account of modern legal recognition, the link between the logic of the expansion of relationships of recognition and moral progress becomes a little more clear. With modern legal recognition, as Honneth explains, we find for the first time "normative structures built into legal relations […] – normative structures that can become accessible via emotionally laden experiences of disrespect and that can be appealed to in the struggles resulting from these experiences" (Honneth, 1996: 170). We see how these new normative structures in legal recognition are to be understood as *both* an expansion of this type of recognition (expansion through generalization and de-formalization) *and* as moral progress in itself (since it is the very capability of participating in a general will-formation, and thereby the capability of determining who counts as an individual with autonomy and rational moral worth, that is expanded in the first place). Here, the logic of recognition (the experience of disrespect and a subsequent struggle for recognition which leads to and expansion of the relationships of recognition) not only coincides with moral progress, but rather *is* moral progress. If these two phenomena – the concrete struggle for expansion of legal recognition and moral progress – are viewed separately, we fail to grasp their true significance as historical events shaping society: "Every unique, historical struggle or conflict only reveals its position within the development of society once its role in the establishment of moral progress, in terms of recognition, has been grasped" (Honneth, 1996: 168). Inscribed in the modern legal relationship of recognition is a new normative structure to which the subject can refer to in his or her demand for recognition when experiencing the moral feeling of disrespect. "As a consequence, moral feelings – until now, the emotional raw materials of social conflicts – lose their apparent innocence and turn out to be retarding or accelerating moments within an overarching developmental process" (Honneth, 1996: 168).

So far it should be clear how moral progress is linked to the expansion of relations of recognition, as exemplified by the emergence of post-conventional modern law. We see how they *make sense* of each other: The idea of moral progress allows us to understand particular struggles for recognition as parts of an overarching development and, conversely, progress itself is a function of expansions of

relations of recognition through particular struggles. Yet, what is missing is an explanation of how the logic of expansion of recognition can become a *referential* system for historical accounts. In other words, how is logic to assist us in making evaluative determinations about which struggles constitute moral progress and which do not? What is needed here, of course, is an evaluative standard. As I will show in the following, Honneth, though not explicit about this, turns to teleological reasoning in order to arrive at such a standard, in *Struggle for Recognition* and his subsequent work, that relates the concept of justice to the concept of recognition.[20]

Teleology in *Struggle for Recognition*

It is clear that already in *Struggle for Recognition*, Honneth wants his recognition-theoretical framework to be able to be used for making evaluations of whether specific demands for recognition can be deemed progressive or reactionary. Only then does this framework truly represent a system that is referential to moral progress, not just in the sense of this framework and moral progress making sense of each other (as in the above), but in the sense of this framework being able to do actual normative heavy lifting, determining what constitutes morally desirable societal developments and what does not. That is to say, a framework from which an evaluative standard capable of distinguishing the moral from the immoral, the good from the bad – in short, a standard of justice. In the two quotes below, this intention is made clear, and we see an indication of the type of teleological reason that is necessary for this framework to function as a reference for determinations about justice:

> Of course, this last formulation [the expansion of relations of recognition relating to an overarching developmental process] also makes unmistakably clear the challenges facing a theoretical approach that is supposed to be able to model the struggle for recognition as a historical process of moral progress: in order to be able to distinguish between progressive and reactionary, there has to be a normative standard that, in light of a hypothetical anticipation of an approximate end-state, would make it possible to mark out a developmental direction. (Honneth, 1996: 168–9)

[20] Note that I am not making the claim that Honneth is somehow unaware or hiding the fact the he employs this type of reasoning. Honneth is simply not explicit in his terminology and the teleological steps needed for his arrival at an evaluative standard generally lack further explanation/expansion in *Struggle for Recognition*.

And further:

> It is the task of the envisioned interpretive framework to describe the idealized path along which these struggles have been able to unleash the normative potential of modern law and of esteem. This framework lets an objective-intentional context emerge, in which historical processes no longer appear as mere events but rather as stages in a conflictual process of formation, leading to a gradual expansion of relationships of recognition. Accordingly, the significance of each particular struggle is measured in terms of the positive or negative contribution that each has been able to make to the realization of undistorted forms of recognition. To be sure, such a standard cannot be obtained independently of a hypothetical anticipation of a communicative situation in which the intersubjective conditions for personal integrity appear to be fulfilled. (Honneth, 1996: 170)

In unpacking these claims about how the recognition-theoretical framework can allow us to make such moral determinations about progressive and reactionary demands for recognition, which are to be understood as determinations about positive and negative contributions to the realization of undistorted forms of recognition, it is my contention that the key operative phrase here is "hypothetical anticipation." Unfortunately, in *Struggle for Recognition*, Honneth does not expand on the role of this concept of hypothetical anticipation beyond the quotes above. But it seems evident that any claim of Honneth having found an evaluative standard from the relations of recognition is tied to this idea. So, what exactly is this concept of hypothetical anticipation, what role does is play in Honneth's narrative and in what sense do I take it to be an example of teleological reasoning?

Simply put, the standard introduced here is one where the 'goodness' of the *current* state of relationships of recognition is measured against a *future* hypothetical state, in which the intersubjective conditions for personal integrity are fulfilled. Now, it is important to note that Honneth has several ways of expressing the same idea of what we could call a stage 'of optimal recognition.' Realization of undistorted forms of recognition, fulfillment of the intersubjective conditions for personal integrity as well as an undistorted relation-to-self are all partial descriptions of the same phenomenon. What is alluded to is a stage of fully realized personal identity reached through unimpeded mutual recognition in all relevant spheres. As a shorthand for the purposes of illuminating the teleological element in *Struggle for Recognition*, I will refer to this stage of full identity realization as a stage of optimal recognition.

As indicated, this stage of optimal recognition takes on the role of a standard with which specific historical events of struggles for recognition in the form of political

uprisings or social confrontations can be evaluated. Without this device, such struggles appear as solitary events, from which little can be said about how they relate to the broader question of whether or not these struggles can be justified. It is of course possible to say a great deal about a single struggle for recognition without the idea of a hypothetically anticipated end-state. The recognition-theoretical framework alone allows us to explain the dynamics of such a struggle: with it we can understand the action-motivational force of the experience of disrespect. Further, we can make claims about whether or not such a struggle is likely to succeed in achieving recognition and gaining momentum as a societal development, as this depends on the existence of a shared semantics with which the individual experience of suffering can be translated into a feeling of disrespect shared by a broader group of people (Honneth, 1996: 164–5). But this sort of explanatory force does not in itself help us with evaluating the moral status of singular struggles for recognition. The reason for this can perhaps be explained with a somewhat crass example: A description of the dynamics of recognition alone does not help us in distinguishing between the demand to be recognized as a person with an Aryan white supremacist identity versus the demand to be recognized as a person with a Muslim identity.

This is where the teleological function of the anticipated hypothetical stage of optimal recognition becomes necessary. Notice that without this teleological element, we could only say something about the likelihood of such a demand achieving recognition and what such recognition would mean to the recipients thereof. But this in itself says nothing about whether such an achievement actually expands the relations of recognition in the sense of being moral progress. Perhaps this point is better understood with an intuition from the above example: say the Aryan identity gained momentum and was broadly recognized. In this case I think it is easy to see that while a new identity has been recognized, the relations of recognition themselves will not have been expanded, since this new identity is built on the exclusion of other identities. But in order to ground this intuition and justify it as a philosophical insight, we need to view the logic of expansion of the relations of recognition as the definition of moral progress. Only then can we evaluate demands for recognition in the legal sphere by the standards of whether or not they contribute to generalization and de-formalization of the legal status and evaluate demands for recognition in the sphere of communal values by the standard of whether or not they contribute to the individualization and equality (to use the framework of *Struggle for Recognition* – as we will see, a similar operation could be made with the framework offered in *Freedom's Right*). As Honneth puts it, what counts as "just" is now making sure that social interactions can take place in the manner demanded by the underlying norm of recognition:

> With these normative foundations of all recognition, however, our alternative theory of justice does possess some initial criteria for judging existing institutions and policies. After all, the demand made by these moral principles coincide with the conditions under which subjects ideally attain a measure of self-respect; therefore, we could say tentatively that it would be 'just' to install and socially equip an existent social sphere as is demanded by the underlying norm of recognition. (Honneth, 2012a: 47)

Again, Honneth is not explicit on this, but as we have seen, such an underlying norm must be taken to be a hypothetical anticipation of a communicative situation in which the intersubjective conditions for personal integrity appear to be fulfilled, such that the "existing institutions and policies" are evaluated on the basis of their contribution thereto.

Formal standards (internally derived)

Notice that these standards or criteria are derived from the hypothetical anticipation of optimal recognition, meaning that they are neutral in terms of deciding what the substantive content of justified demands for recognition should look like. These standards are in that sense a formal grammar which allows us to evaluate whether concrete substantive demands for recognition contradict the logic of expansion of the relations of recognition or not. It might be helpful to understand them as the rules-of-the-game of recognition. They don't predetermine what plays should be made. They only decide whether new and hitherto unimagined plays are permissible in the sense of not undermining the game itself. In other words, these standards are derived from the internal logic of recognition itself, and represent the formal requirements put forth by this logic (expansion or retraction). However, arriving at these standards is only possible with the use of teleological reasoning. First, a telos of working towards optimal recognition is inscribed into the historically contingent relations of recognition (legal relations and value communities).[21] Then, the requirements that such a stage of hypothetically anticipated optimal recognition would have on demands for recognition is extrapolated (generalization, de-formalization, individualization and equalization). Finally, these requirements are brought back to the unruly present of conflicting demands for recognition as an evaluative standard with which their contribution to the moral progress of a society can be determined.

[21] I omit the recognition relations of intimate relationships since these have no evolving potential beyond providing the individual with self-confidence.

Here, at last, we see that teleological reasoning is an indispensable part of Honneth's recognition-theoretical framework: It is the device that allows for making normative determinations on the morality of individual demands for recognition, such that this framework can do more than simply make descriptive explanations of the dynamics underlying social conflicts.

Reconstructed, not ideally constructed, telos

Before moving on to examining the use of teleological reason in Honneth's *Freedom's Right*, I want to stress the exact character of the telos inscribed in the relations of recognition. This telos is not to be understood as an *ideally constructed* property of the relations of recognition. Rather, it should be understood as a *reconstructed* property, derived by looking at the internal logic of historical stages of struggles for recognition (on reconstruction in the Frankfurt School tradition, see Honneth, 2009: 49–51). As Honneth explains with regard to this point, he distinguishes, on the one hand, between a procedural and ideally constructed model of justice and, on the other hand, a reconstructed model of justice derived from history:

> But this kind of proceduralism [citizens deliberating on norms through an impartial procedure] is unacceptable for the position I will sketch here, because it must presuppose that the material of justice is given historically. But if we are not capable of arbitrarily moving and distributing the material of our moral intentions, it is useless to search for hypothetical principles to which we could then commit. The result of already existing relations of recognition demands instead that principles of justice be justified by the historical material. This means that we may justify principles not through the use of constructed procedure, but only by locating them in the relations of communications themselves, in their conditions of validity. This alternative procedure could thus be termed 'reconstructive', because it does not 'construct' an impartial standpoint from which to justify principles of justice, but 'reconstructs' them out of the historical process of relations of recognition in which they are always already at work. (Honneth, 2012a: 47)

In a 2008 lecture, which was later reworked into a chapter for the volume *The I in We* (Honneth, 2012a), Honneth expands on what a theory of justice based on recognition might look like. Here, Honneth makes a distinction between procedural models of justice, in which citizens are supposed to deliberate about norms through impartial procedures, and his own reconstructive method, where the contours of justice are shaped by the historically given material, namely the

development of different stages of struggles for recognition. The procedural models are constructive, according to Honneth, because they presume to be able to 'construct' such a neutral procedure independently of historically given conflicts, interests and moral expectations. Instead, Honneth takes the relations of recognition as historically given and constructs an outline to a concept of justice from these (Honneth, 2012a; Honneth, 2004). Here, rather than assuming that "the material of our moral intentions" can be "arbitrarily moved and distributed," such that we might be willing to commit to an ideally constructed concept of justice (Honneth, 2012a: 47), Honneth lets the logic of expansion, i.e., the internal logic, of the relations of recognition shape the concept of justice.

Following the logic already laid out in the above, justice must now instead spring from the concept of mutual recognition itself, which presupposes a *shared foundational moral principle*. Subjects would be unable to ascribe each other moral worth without such a shared principle, and would thus – as per the intersubjective nature of recognition – lose any sense of their own worth. Therefore, there is a shared foundational moral principle already built into the historically given relations of recognition, and, as we have already seen, this shared principle is the logic of expansion of recognition itself. And so, the telos of such a recognition-theoretical concept of justice is not presented by Honneth as an ideally constructed principle, but rather as a reconstructed (and ultimately falsifiable) interpretation of the stages of historical struggles for recognition. The relations of recognition "are historically contingent structures, which have assumed the shape of institutional practices in which subjects are involved or from which they are excluded. Such historically given relations are what make up the fabric of justice" (Honneth, 2012a: 46).

Moral progress as realization of freedom

In *Freedom's Right* (Honneth, 2014) Honneth is much clearer about the fact that his now fully fleshed out theory of justice operates on the basis of teleological reasoning. But, while this might be more explicitly stated in *Freedom's Right* than was the case with Honneth's work on recognition and justice, it is to some extent still a less elaborated point of departure from which Honneth can conduct a more detailed analysis of how freedom unfolds in various social spheres. For that reason, I think it is worthwhile to explore what role this teleological reasoning plays for the argument in *Freedom's Right* as well as how it relates to the teleological argument already discussed.

In *Freedom's Right*, the fundamental starting point of its reconstructive determination of the content of justice (which is the project of the book) is the presupposition that "justice and individual self-determination" are "mutually referential" in modernity (Honneth, 2014: 17).[22] In other words, *Freedom's Right* has as its basic starting point the idea that a "fusion between conceptions of justice and the idea of autonomy represents an achievement of modernity that can only be reversed at the price of cognitive barbarism" (Honneth, 2014: 17). Here, following Hegel's notion "that the present always stands on the forefront of an historical process in which freedom is gradually realized," a teleological mode of reasoning underpins the entire project of fleshing out how the social order ought to look in order to be just (Honneth, 2014: 59; on the historical roots of social freedom in socialism see Honneth, 2017b: 77–8):

> This teleological perspective, an inevitable element of modernity's self-understanding, strips the above-described fact [of justice having fused with autonomy] of its contingent historical character. For reasons that claim universal validity, we can now regard the idea of individual self-determination as the normative point of reference for all modern conceptions of justice. That which is 'just' is that which protects, fosters or realizes the autonomy of all members of society. But even after we have established an ethical link between justice and a supreme value, we still have not determined how a social order needs to be constituted in order to deserve the predicate 'just'. When it comes to further defining what justice in fact entails, everything depends on how we further define the value of individual freedom, for the idea of autonomy itself is too heterogeneous and multi-layered to determine the standard of justice on its own. (Honneth, 2014: 18)

In unpacking this starting point for *Freedom's Right*, it should first be noted that Honneth (as always) reinterprets Hegel in order to rid his idea of progress from its "metaphysical foundations," and, in this case, its "objective teleology" (Honneth, 2014: 59). This means that Honneth extrapolates a "transcendental interpretation of Hegel's confidence in historical progress" (Honneth, 2014: 59). I will return to this point, but for now it will have to suffice to say that this idea of a transcendental confidence in the historical progress means discarding Hegel's idea of freedom being fully realized in the specific institutions found in the Germanic culture of Hegel's time. Instead, the process of gradual realization of freedom is seen as transcendental, because the precise shape of the institutions

[22] Note that in the following, as per Honneth, I will interchangeably be referring to freedom as self-determination and autonomy.

embodying individual autonomy is viewed as a historically contingent variable, constantly open to new interpretations.

As is clear from the above quote, it is individual self-determination that is the normative point of reference for determinations about justice: "Here again I follow one of the basic thoughts of Hegel's *Philosophy of Right* in assuming that in modern societies the idea of freedom has become the Archimedean point for legitimizing social order, insofar as it has come to form the background for all of our normative obligations within the practical spheres constitutive of our life-world" (Honneth, 2013: 39–40). At this point the reader might very well feel puzzled as to how such a normative point of reference is supposed to be understood as transcendental, since throughout the history of political philosophy the concept of freedom has taken on many distinctive and different shapes tied to very specific notions about the individual and his/her standing *vis-à-vis* a political community or the state. In light of this situation, Honneth himself must define freedom in a way that would allow for this aforementioned transcendental confidence in history, which specifically means to give up the notion that freedom is attainable in some definite form. To this purpose, Honneth takes his view of freedom from Hegel's idea of objective freedom, such that freedom today must be understood as an attainment of a complete relation-to-self, reached through intersubjective mutual recognition facilitated by the relevant social institutions (Honneth, 2014: 65; Honneth, 2017: 110). Note here that *individual* freedom is now *social*:

> A subject is only 'free' if it encounters another subject, within the framework of institutional practices, to whom it is joined in a relationship of mutual recognition; only then can it regard the aims of the other as the condition for the realization of its own aims. 'To be with oneself in the other' thus necessarily entails a relation to social institutions, for only established and routine practices can guarantee that subjects will recognize each other as the other of their self. (Honneth, 2014: 45)

Freedom thus follows the logic of mutual recognition: First, the 'I' demands of 'the other' that she be recognized as free. But that recognition would only be meaningful for the 'I' if the 'other' is herself free. And so, the 'I' realizes that her freedom depends on the freedom of the 'other.' It is in this sense that freedom becomes social, since it requires us to regard the aims of the other, not as an external threat to our own freedom, but as the condition of our own realization of our aims. Importantly, this is not (only) an individual psychological process or a thought experiment that the individual must carry out with every encounter of an 'other.' Rather, this is a condition for freedom that must be facilitated through

social institutions with their routines and practices, such that the general logic of social character of freedom is held in place and stabilized.

It is my argument that this formulation of freedom as social resembles the 'grammatical' description of recognition we saw in *Struggle for Recognition*. Much in the same way as Honneth at that point operated with the logic of the expansion of the relationships of recognition as the foundation from which he derived a set of criteria for evaluating the just nature of specific demands for recognition (Honneth, 2002) (without making 'thick' determinations about what the content of these relationships ought to look like), Honneth now employs what I would call a 'grammar of freedom' from which a similar internal logic can be derived and serve as the basis for determinations about justice. This is because, as we saw in the above quote, Honneth is well aware that this "establishment of an ethical link between justice and the supreme value" of freedom is not enough to do the work of telling us something about what justice actually entails. In this sense, I would argue that social freedom, understood as a complete relation-to-self through mutual recognition of each other's aims as the condition of our own, is a formal or grammatical concept much in the same way as we saw in *Struggle for Recognition*.

Now, it is extremely important to clarify exactly what kind of formal grammar I identify in *Freedom's Right* and how it compares to that same idea in *Struggle for Recognition*, since Honneth himself is keen to avoid charges that his concept of justice is "purely formal." As he explains in *Freedom's Right*, the notion of freedom underpinning the entire project is reconstructively tied to social reality and history:

> Not only must we assume that the one value of freedom has taken on an institutional shape in various functional spheres, we must also assume that the various respective interpretations of this one value are in fact embodied in such institutional spheres of action. Only then can we see the second reason for not limiting our conception of justice to justifying purely formal principles. (Honneth, 2014: 65)

And continuing:

> The consequence of reconnecting freedom to institutions is that a conception of justice based on the value of freedom cannot be developed and justified without simultaneously giving an account of the corresponding institutional structures. It is not enough to derive formal principles, rather theory must reach out to social reality; only there do we find the conditions that provide all individuals with the

> maximum individual freedom to pursue their aims. In other words, an ethical relation to the idea of freedom requires a theory of justice to depart from a purely formal framework and cross the threshold to social reality. To elucidate what it means for individuals to be free necessarily implies determining the existing institutions in which they can experience recognition in normatively regulated interaction with others. (Honneth, 2014: 65)

As is quite evident from these quotes, Honneth's reconstructed concept of freedom could not be further from any ideal constructed ditto, since it is derived directly from investigating the institutional structures embodying the value of freedom throughout history and in social reality. Thus I am clearly not claiming that Honneth is operating with a formal grammar of freedom and justice in any way that contradicts this intimate connection to concrete institutional structures, history or indeed contingent social reality as such. What I am saying, however, is that the reconstruction of freedom resembles Honneth's previous reconstruction of recognition and that it retains the same formal properties. They are both derived from social facticity and the exact content of both relations of recognition and freedom remains historically contingent. Yet, the overall models of both recognition and social freedom still retain their formal character, since their explanatory validity withstands this contingency and remains in place even as the content of recognition and freedom fluctuates over time.

As mentioned earlier, the idea of autonomy itself is "too heterogeneous and multi-layered to determine the standard of justice" (Honneth, 2014: 18). Therefore, the work of deriving a standard for making determinations about justice from the concept of social freedom is the work of locating the relevant social institutions that make this kind of social freedom possible (in *Freedom's Right* these are found to be personal relationships, the market place and democratic will-formation), and then asking what these institutions demand in order to deliver on this freedom. It is exactly these concrete historically given demands that then constitute the specified material of justice. It is this concrete work of analysis, what Honneth calls "normative reconstruction," that constitutes the actual location of justice in *Freedom's Right*:

> In each of these three systems of action, we will filter out the specific pattern of mutual recognition and complementary role obligations on the basis of which subjects can exercise forms of social freedom under current social conditions. We will have to distinguish between two levels of normative reconstruction, between empirical facticity [Faktizität] and normative validity [Geltung]. The point is neither to analyse factical relations nor to derive ideal principles, but to carry out the difficult task of uncovering those social practices that are most suitable as forms

> of intersubjective freedom. Therefore, the major stock of normative rules we will reconstruct in each of these three spheres will not necessarily be what subjects actually practise in their everyday lives. In fact, in the course of our reconstruction we will often be faced with individual deviations from these 'ideal-typical' patterns of action, which will prove to be especially true of certain tendencies in the present. But here, such deviations must be interpreted as social misdevelopments – provided they do not merely represent contingent appearances – because they fail to meet the demand of social freedom underlying the respective sphere of action. (Honneth, 2014: 128)

We see here what I mean by applying the notion of 'grammar' from recognition to social freedom. Intersubjective freedom becomes a formal concept that serves as the point of departure for an exploration of the normative rules that in actuality facilitate this concept. So, while the coming into existence of this 'grammar' of freedom itself must be viewed as a historical occurrence (it is not an ideal theoretical construct), it has become a fundamental baseline from which all subsequent actual institutionalized realizations of social freedom operate. And so, the normative rules which ought to guide the institutions enabling intersubjective freedom become the substantive content of justice, subject to a context-dependent understanding and struggles over its correct interpretation. But the *evaluative standard* with which we can make determinations about such concrete institutions of justice remains the *internal logic, or grammar, of intersubjective freedom*. In this way, the evaluative standard that Honneth employs in *Freedom's Right* mirrors the way in which the logic of expansion of the relationships of recognition was used in *Struggle for Recognition*. This standard can, in the same way, be seen as formal. It describes the rules of the game, but not a definitive account of all possible plays.

II Normative validity surplus in recognition

Moving on from Honneth's teleological use of moral progress in his work on both recognition and social freedom and the formal character of these concepts, we can now take a closer look at the idea of normative concepts containing a validity surplus. The concept of "normative validity surplus" appears in Honneth's 2004 article *Recognition and Justice: Outline of a Plural Theory of Justice*. Though this concept is only scarcely used by Honneth, I find it immensely precise as an explanation both of how facticity relates to normative principles in Honneth's work and of how recognition can be seen to be recursive. This recursive nature of a normative validity surplus is shown in Section IV.

In the above-mentioned article, Honneth attempts to move beyond his "social-theoretical" normative analysis in *Struggle for Recognition* – or at least away from the more 'descriptive' normative analysis of this work, which descriptively showed how the normative expectations of the subject is directed towards "*social recognition of their abilities on the part of variously generalized others*" (Honneth, 2004: 254). In other words, how the subject forms a successful relation-to-self through the intersubjective process of being recognized as a human with some worth to other members of society. And conversely, how the disrespect of not receiving such recognition *either* permanently damages the identity of the subject *or* sparks the impulse for an expansion of the criteria for recognition (provided the individual experience of suffering disrespect is sufficiently translated into a demand for recognition that is collectively identifiable as justified and thus able to find broader than merely individual support). This is a descriptive work, in that it explains the role of normativity on the subject level, as a description of the moral socialization of individuals, and on the societal level, as a description of the moral integration of society through the institutionalization of the principle of recognition in the social spheres of a society (Honneth, 2004: 354). In his 2004 outline, though, Honneth explicitly turns to the task of developing a concept of justice whose evaluative standard is derived from the previously described 'facts' about the human condition: the subjective need for mutual recognition and the institutionalization of the principle of recognition in social norms, practices and institutions.

The central challenge of this turn to justice is that only the 'form' of recognition is to be considered "*an anthropological invariant*" (Honneth, 2004: 355), whereas the actual 'content' of recognition, which traits are considered worthy of recognition and which are not, is a context-dependent matter, contingent on the specific societal development of a given time and place. In other words, the normative content of a specific order of recognition at a specific place and time cannot be translated into an evaluative standard of justice with which Honneth can critically make statements about the status of moral progress for a society as a whole. If this were the case, such a concept of justice would inevitably only reaffirm the status quo of that specific order of recognition. In order to avoid this situation, Honneth introduces the idea that:

> regarding societal development we should be able to speak of moral progress at least to the extent that the demand for social recognition always possesses a validity overhang [surplus] which ensures the mobilization of reasons and arguments that are difficult to reject, and hence in the long term brings about an increase in the quality of social integration. (Honneth, 2004: 355)

The way this concretely works, then, is by virtue of the fact that it is possible to make use of a 'moral dialectic' between the universality of the general principle of recognition and the particularity of a claim that some aspect of the subject's life-situation has not been appropriately considered as worthy of recognition under the previously practiced application of the general principle of recognition. A famous example of this validity surplus at work is *The Declaration of the Rights of Woman* (Olympe De Gouges, 1979), which used the language of the declarations of citizenship for male revolutionaries in the French Revolution to make the case that the general principle of equality, which had sustained the revolution, was inappropriately interpreted as applicable only to men and should be reinterpreted in order to include woman as well. Similarly, the abolitionist movement in the United States made use of the general principle of 'all men being created free and equal' to insist on a reinterpretation that included the enslaved. Importantly, I would consider these cases examples of 'normative revolutions' in the sense that I have been using that term. As Bearup puts it, these are examples of the "unthinkable" (gender and race equality) gradually being incorporated within the "unquestionable" (Bearup, 2015: 219).

What Honneth does here, by introducing the concept of a validity surplus, is to emphasize that any order of recognition contains a dynamic element which ensures that the form of recognition can always be given new content. This is a property of Honneth's concept of mutual recognition which was already present in *Struggle for Recognition*, due to the fact that withheld recognition can under the right circumstances ignite a struggle for an expansion of the kinds of traits deemed worthy of recognition. By emphasizing this dynamic element in the concept of recognition, Honneth ensures that a theory of justice, which has as its point of reference the quality of social recognition relations (Honneth, 2004: 356), can be used to evaluate the state of moral progress in a society, not just based on the empirical question of which criteria for recognition are considered just or unjust in specific spheres of recognition, but rather based on the general proposition that the attainment of recognition as a good in itself should serve as the point of reference for the concept of justice. In other words, it is part of the 'form' of recognition that it contains a normative validity surplus that ensures that the 'content' of recognition is never fully exhausted at any historical stage, since new reasons and arguments for expanding the criteria of recognition can always be formulated. What the concept of a normative validity surplus contributes to a concept of justice based thereon, then, is an evaluative standard which is *both* independent of the concrete historical-specific society to which it is meant to apply *and* directly derived from it (insofar as we accept the subjective need for

recognition and the institutionalized avenues for receiving such recognition as empirically derived 'facts').

With such a concept of justice, Honneth is able to critically distinguish progressive tendencies in a society from regressive ones according to the overarching evaluative standard of whether or not these tendencies increase the quality of social integration achieved in the spheres of recognition. Concretely, in Honneth's outline of a theory of justice based on recognition, this translates into two criteria for such an evaluation: increased individualization and increased inclusion. These criteria can be put to work by asking: Does the tendency in question increase the criteria by which recognition is achieved, thus increasing the individualization in society by adding a new type of recognition-worthy identity, or does the tendency in question increase access to the already established recognition-worthy modes of life, thus increasing the amount of people able to form a healthy relation-to-self (Honneth, 2004: 361)? Tendencies which prompt answers in the affirmative can, according to such a recognition-based theory of justice, be said to be progressive. Similarly, concrete demands for recognition or concrete norms, institutions or practices facilitating recognition can be evaluated as just or unjust according to the criteria of inclusion and individualization.

By using the concept of a normative validity surplus, Honneth has introduced a notion of moral progress that is purely formal in the sense that it does not speak to the actual content of relations of recognition. What can be radically transcended when this formal idea of moral progress is used for critique, then, is the content of the relations of recognition. And this happens by point of reference to an evaluative standard that is immanently derived, since the form of recognition is to be considered a socio-psychological fact. Here, we see how the concept of a normative validity surplus is the fundamental assumption underlying the idea of radical internal critique. It allows for a concept of justice to be immanently derived from the norms, practices and institutions of a society (in Honneth, the norms, practices and institutions of recognition), but it also ensures that the critique performed by reference to this concept of justice is able to transcend its own grounding by employing (yet) unseen possibilities of justice as its evaluative standard (understood in Honneth as the idea of moral progress defined as the possibility of still unrealized increases in inclusion and individualization). In the case of Honneth's outline of a plural theory of justice, the general principle of recognition yields the evaluative standards of individualization and inclusion, but the concrete content – what counts as recognizable or not – is a contingent variable subject to constant re-evaluation.

III Past, present and future – recursion in the teleological premises of Honneth's reconstruction of recognition and freedom

As we saw earlier, the idea of moral progress and the teleological premise play a pivotal role in the theoretical construct laid out in *Freedom's Right*. Through the reconstructive method, taking as its beginning the historical arrival of freedom as "an Archimedean point" of reference for all legitimation of social orders, institutional realization of freedom becomes the moral progress from which justice can be evaluated:

> [T]he developmental path thus reconstructed will exhibit a certain directedness towards moral progress, telling us not only which ones among a specific sphere's fundamental normative ideals have already been realized but also what would need to be done in order to realize them more adequately and more fully. [If] institutional reform of a practice leads to a fuller and more adequate application of its basic normative ideal, I speak of moral progress. (Honneth, 2013: 37)

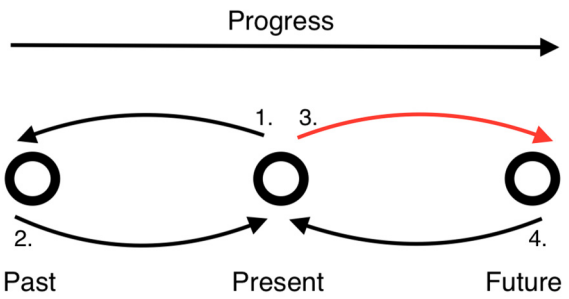
So, what seems clear here is that Honneth is operating with an idea of moral progress that is intimately tied to a careful historical reconstruction of certain fundamental normative values and the institutions embodying them. Certainly, the whole idea of working with a notion of moral progress will strike some as either rather quaint or downright dangerous. Most notably, Allen and Zurn have been quite critical about the viability of this approach. Whereas Zurn questions the possibility of defending such a reconstructed notion of moral progress as "*the* critical yardstick," Allen is – from a post- and decolonial perspective – more unequivocally opposed to the whole notion of elevating one normative direction as "forward-looking" and thereby others as "backward-looking" (Allen, 2016; Zurn, 2000).

However, I believe Honneth has a defensible position here. I will support this claim by spelling out exactly how Honneth makes the whole operation of using moral progress as "*the* critical yardstick" in both *Struggle for Recognition* and *Freedom's Right* work. Here, I follow Allen's general analysis of Honneth's entire critical project, including her interpretation of how progress, in Honneth, is linked to the notion of a normative development throughout history:

> [W]hat favors the normative goal that animates critical theory – 'the reciprocal enabling of self-realization' – is that it is understood as the result of a

> developmental process. In this way, Honneth clearly roots the *forward looking idea of progress* as an imperative in a *backward looking story* about the process of historical progress or development that has led up to 'us' […]. In other words, the idea of historical progress in not only a normative necessity for critical theory if it is to avoid collapsing into relativism or conventionalism; it is also a practical-transcendental necessity – an unavoidable commitment whenever we take a certain stance with respect to political struggles in our time. (Allen, 2016: 82, emphasis added)

In the following section, having shown the central elements of Honneth's method of normative reconstruction, I will attempt to relate them to the critical procedure in Figure 12. Here, I will fit what Allen calls backward- and forward-looking critical theory (Allen, 2016) – and what Honneth calls "retrospectively discerned progress" – to the step-by-step procedure of linking past, present and future in order to arrive at a critical yardstick for measuring progress or reactionary normative tendencies in society. This procedure is of course idealized and the individual steps will overlap somewhat. The reconstructed process described here is recursive, since an 'ought' is derived from a hypothetically anticipated future, projected from our past, and brought back to bear on the present as a normative stance. In this way, the normative content of past, present and future relates recursively to each other.



1. Draw on present facticity (norms, institutions, and practices
2. Extrapolate historical development (roots and promise) and relate to present state
3. Make 'hypothetical anticipation' of unhindered future state of affairs
4. Evaluate present state of affairs with 'hypothetically anticipated' unhindered state of affairs as evaluative standard

Figure 12. Reconstruction of evaluative standards displaying a recursive relationship between past, present, and future.

So, following the reconstructive steps of Figure 12, Honneth starts by first isolating recognition as the fundamental normative value that underpins the normative horizon of modern society. This operation is in *Struggle for Recognition* first tied to the identity-formation of individuals and then secondly to society as a whole, as a driving force behind expansions or retractions in the key social spheres to which individual identity-formation is tied. Conversely, recognition is more explicitly linked to the functionality of general society in *Freedom's Right*, since it is the institutional structures that facilitate recognition – in the form of social freedom – that is investigated here. Regardless, from a methodological perspective the procedure is the same: Honneth singles out one overarching normative value as fundamentally necessary for either successful identity-formation (pure recognition) or social reproduction (institutionalized recognition). In other words, Honneth isolates one normative value as the most important in society and thereby also identifies it as the obvious object of investigation for his critical theory. Honneth then traces this idea back to its historical roots: on the one hand through a reconstruction of the social theory literature on the concepts of recognition and freedom, and on the other hand through a reconstruction of the social norms, practices and institutions that have historically facilitated these concepts. In *Struggle for Recognition*, this is done by following Hegel's theory of recognition and supplementing it with G. H. Mead and Donald Winnicott's psychological theories on object-relations and relation-to-self respectively, as well as the existential philosophy of Sartre (Honneth, 1996; Honneth, 2008: 40). This theoretical rooting is further supplemented with an investigation of social history, such as the exploration of the development of legal rights and the normative significance thereof, as we saw above.

Similarly, in *Freedom's Right* the concept of freedom is on the one hand investigated through an analysis of the works of Hobbes and Locke (negative freedom); Aristotle, Rousseau and Kant (reflexive freedom); and Hegel (social freedom). On the other hand, this theoretical investigation of freedom is further supplemented with a social-historical account of the family, the market and democracy and their normative significance as spheres of justice facilitating social freedom as institutions of mutual recognition. In other words, Honneth's fundamental normative values are explicitly rooted in and reconstructed from history:

> The history of Western societies is marked by a series of historical caesuras that in retrospect are perceived (or should be described) by everyone as particularly beneficial or as particular gains, precisely because they brought about significant improvements in the practice of the relevant norm. Such events play an

> indispensable role in giving us a sense of historical direction, and in my book I therefore do not shirk away from occasionally referring to them as 'signs of history' (Geschichtszeichen), a term that originates in Kant's philosophy of history. (Honneth, 2013: 37–8)

Then, in a second step, Honneth does more than just base his concepts of recognition and social freedom on their historical development in social theory and practical spheres of institutionalization. As with Habermas, these concepts are brought back to the present in a reconstructed form, such that Honneth's own conceptualization of these concepts emerges as building on but also expanding on this historical rootedness. This is of course a normal step of theorizing, in which a new theory or concept both synthesizes and develops previous knowledge. Had Honneth stopped here, this process would, I would argue, have amounted to a purely immanent critique. Here, the importance of the concepts of recognition and freedom as well as any evaluative standards found therein would be immanently derived, insofar as the state of recognition and freedom in the present were judged on the basis of criteria that were internal to the very same historically reconstructed concepts.

As indicated here, this is certainly part of the critical methodology of Honneth:

> The domain of normative reconstruction, as undertaken in my book [*Freedom's Right*], therefore encompasses the social conflicts and struggles that have been waged within the several subsystems of modern societies over the question of how the respective ideas of freedom institutionalized in them should be appropriately interpreted as legitimate sources of demands for justice. As these reconstructions approach the present, the retrospectively discerned progress in the realization of the various freedoms will shed light on the question of which normative demands will have to be met today if we are to take a further step beyond the point we have already reached. (Honneth, 2013: 40)

Honneth could easily be interpreted as saying that a critique stemming from such a retrospectively discerned progress is simply a matter of identifying current constraints on any normative demands that we evaluate as legitimate (a legitimacy we ascribe to them since they carry out what we have identified as the historical process of realizing recognition and freedom).

These first two steps of the process of critical reconstruction could be said to be non-ideal theorizing inasmuch as the theorized normative content of recognition and freedom is taken to be derived from the facticity of social and historical development. In other words, all the real-world constraints and boundary limits

of actual spheres of recognition and freedom are taken into account and included in the process of theorizing.

But Honneth goes further than just evaluating the present state of affairs on the basis of a retracing of the historical promises of recognition and freedom. So, in a third step, Honneth uses his reconstructed and now wholly theorized concepts to imagine a future state of affairs in which the relevant social and political conditions would allow for fully realized recognition and/or freedom. Here, this idea of unconstrained fulfilment of recognition and/or freedom becomes a hypothetically anticipated point of reference. In *Struggle for Recognition* this hypothetical anticipation takes the form of fully self-realized individuals who experience unconstrained mutual recognition in all relevant spheres and have thereby reached a stage of optimal love, respect and esteem. Conversely, in *Freedom's Right* this hypothetical anticipation takes the form of a society in which social freedom is fully realized by its relevant institutions, such that the family or the institutions of primary relationships, the market and the institution of democracy fully embody social freedom and facilitate it in an unconstrained manner. This step closely resembles ideal theorizing, in that such states of full normative realization must be seen as highly idealized in the sense of not at all being influenced by considerations pertaining to non-ideal circumstances.

In this step, Honneth is venturing beyond the historical boundedness that has so far underpinned his normative critique, since he makes this hypothetical ideal of full realization the telos of society. This telos becomes more than just the idea of realizing promises already made or explained in the past, since both recognition and freedom are formalized such that the actual content of these concepts – which relationships or spheres actually fully realize them – becomes contingent upon further historical developments. It therefore also follows that Honneth is not operating with any deterministic teleology, both because there is no necessary direction to this telos (regression is always possible) and because a determination of what relevant spheres or institutions that embody recognition and freedom remain open to constant reconfigurations. Here, Honneth is operating with a teleological reasoning that transcends its historical reconstruction insofar as the concepts of freedom and recognition become formal points of invariance along which variations in the normative content of recognition and freedom and the institutions or social spheres facilitating them can be evaluated.

Finally, this brings us to the fourth and last step of this critical procedure, in which Honneth brings this hypothetically anticipated and now transcendent ideal of fully realized recognition and freedom back to the present as a critical yardstick. Similar to my interpretation of Habermas, I would argue that Honneth is thereby

managing to deliver an immanently derived yet context-transcending evaluative standard. Here, the present state of affairs can be critically examined along the parameters set out by the hypothetical ideal of fully realized recognition or freedom. Now, it is important to emphasize that, as in the case of Habermas' universal pragmatics, this context-transcending standard is still highly formalized and hence does not in and of itself deliver direct action-guiding principles. Much in the same way as we saw with Habermas, such formal standards of recognition and freedom provide only a 'weak transcendental necessity' – meaning that people in concrete struggles for both recognition and freedom can counterfactually make reference to the reciprocal need for mutual recognition or social freedom. In other words, in their formalized form these standards remain abstract points of reference. Here, I would argue, such formal and abstract standards must once again be contextualized and translated locally to the present state of affairs in order to guide concrete demands or critical evaluations of the legitimacy of such demands and/or the present state of their realization. Concretely, this means translating recognition into those concrete spheres that would best facilitate its full realization given the facticity of the norms, practices and institutions of the present, and, similarly, translating social freedom into those institutions that would provide such full realization. Now, it is clear that in this fourth step Honneth goes much further than Habermas, insofar as he concretely reinterprets his hypothetical ideals back into rich analyses of the present state of affairs. But importantly, these analyses remain – in principle – susceptible to further reinterpretations in accordance with future developments in what would constitute the relevant spheres of recognition or institutions embodying social freedom.

As a final note, it must be made clear that the teleological reasoning in Honneth's reconstructive method that I have explored in no way has to do with predicting the future with any degree of determinism. The reconstructive method must only be understood as pointing to one possible normative direction for society amongst others – the force of the arguments lies not in predicting the future but in pointing out the normative values of certain developments over others. So, when Honneth uses the language of universal validity he is speaking to a universal validity within the context of modernity – one that is of course in principle correctable or falsifiable:

> This normative work is meant, after all, to provide us with general reasons, anchored in the structure of modern life, for thinking of certain developments within the individual spheres as beneficial, and of others as detrimental, to the realization of their respective institutionalized freedoms. […] Such a

> reconstruction is neither valid as an expression of a universal truth, being essentially tied to the normative premises of modernity, nor is it merely an act of political expression on the part of a citizen, since it aims to explicate a sequence of necessary steps on the way to realizing those specifically modern normative claims. To be sure, it is a requirement on the (in principle corrigible) validity of any particular normative reconstruction that it should know itself to be tied to those particular emancipatory promises of modern societies which it treats as already institutionalized and thus, within this historical context, as universally authoritative. But granted the acceptance of the relevant principles, the reconstructive method then claims to objectively trace the developmental trajectories along which those principles come to be actualized. (Honneth, 2013: 39)

It is important to note here that Honneth admits that the validity of such reconstructed normative content should in principle be regarded as corrigible – which should go some way to ameliorate any suspicion of teleological determinism.

IV Recursion in the intersubjective process of recognition

Finally, I will conclude this chapter by illustrating the intersubjective praxis of recognition as a recursive transition network. As was the case with formal pragmatics, such a translation of recognition into the diagram form of a recursive transition network heavily emphasizes the procedural character of recognition. Struggles for recognition are in this way displayed as practical intersubjective processes. But once again it is important to remember that even in this representation recognition still retains all of the normatively substantive content imbued in the criteria of inclusion and individuality. With this in mind, the representation of recognition as a recursive transition network allows me to pinpoint the recursive properties of recognition by isolating the various steps in struggles for recognition. In this manner the recursive parts of the procedure can be located. In this analysis I am thus not referring to the recursive properties of Honneth's reconstructive method and its teleological premises, but rather to recursion as a property of recognition itself as an intersubjective procedure.

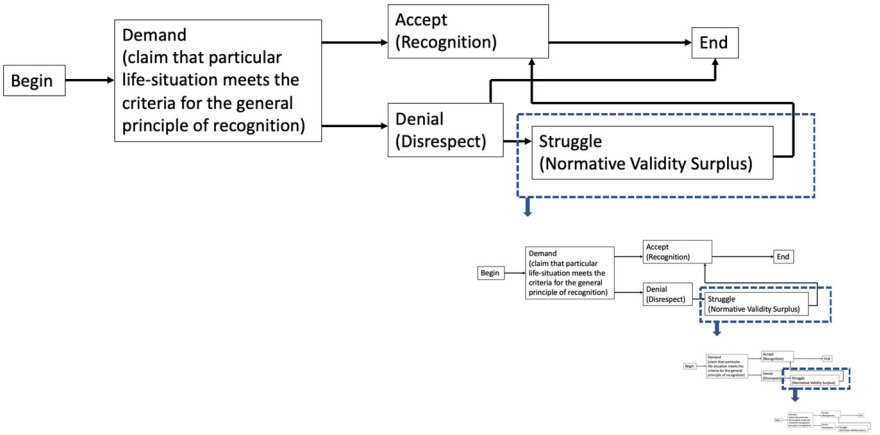


Figure 13. Recognition as a recursive transition network.

As we saw earlier, struggles for recognition describe a process in which individuals experiencing the injustice of a lack of recognition – that is, disrespect – demand to have some part of their identity recognized in order to fully realize their selves. In Figure 13 this is depicted by the node *Demand*. At this step in the process, people – either individually or as a group – believe that an aspect of their particular identity-dependent life situation meets the criterion for the general principle of recognition. This could be, for example, women demanding to be recognized as having the same moral worth as men, a discriminated minority demanding to be treated as equal citizens or a subculture with a new value-system demanding to be treated with solidarity by the existing community. At this point, two arrows flow from the node *Demand* representing two possible paths. With the top arrow we see a simple path through the recursive transition network. Here, the demand is already accepted, the process ends, and no struggle for recognition occurs. This path basically amounts to – from the point of view of critical theory – an uninteresting reaffirmation of recognition status.

The lower arrow, however, represents the possibility of a recursive route through the network. The arrow leads to the node *Denial*, in which case the demand for recognition is refused and the demanding subjects experience the disrespect of withheld recognition. In the examples above, this amounts to women not being seen as having moral worth equal to men, discrimination towards some particular identity-holding group as second-rate citizens or the rejection of a new subculture's values as normatively repulsive. This experience can be so detrimental that it distorts the subject's relation-to-self to a degree where they lose their sense

of personal integrity or belief in social worth. This scenario is represented by the arrow leading directly from the node *Denial* to the node *End*. If, however, the subjects manage to articulate the experience of disrespect as an injustice, then the process becomes recursive.

This is represented by the arrow leading to the recursive node *Struggle*. This node is recursive because this step of the process contains and refers to itself. The output of this specific operation – the experience of injustice – is actually the input to the overall procedure. Recall that it was the experience of injustice that motivated the process in the first place. This recursion of the node *Struggle* is represented by the dotted box encircling it. Here, an exact copy of the overall procedure ensues at a level lower. If the process never ends with the subjects successfully receiving recognition, the process is in principle endless. It can, however, also bottom out and end in such a manner. This either happens if the struggle eventually damages the feeling of self-worth or integrity in the subjects demanding recognition to the point where they are left without motivation for further struggles, or, conversely, if their demand is finally accepted and met with recognition.

In the latter case, the recursive nature of the normative validity surplus of recognition can be seen. When the struggle for recognition ends successfully, the identity horizon of the society in which the struggle took place is expanded through either increased inclusion or individuality. That is, either more people or groups are included as members of an already existing and recognized identity (such as citizenship), or a new identity is included in the canon of identities deemed worthy of recognition in society (such as the recognition of, for instance, the rights of transgendered people). This constitutes a normative validity surplus since these expansions add to the overall reservoir of successful demands for recognition. As such, they in effect become expressions of the general principle of recognition – and as such, they become available as part of the basis for future struggles for recognition. In new instances of experienced injustice these recognized identities can by pointed to as foundations for new demands, in the shape of statements such as: "Since we believe our identities are of equal worth to those already recognized, we too should be recognized."

With this illustration of recognition as a recursive transition network procedure, we can now turn to analyzing it with the three properties of recursion previously operationalized. In doing this, I will show how it is the recursive properties of recognition that lend recognition its potency as a fixed-yet-flexible normative concept. That is, a normative concept that can be universalized across contexts without running the risk of being an expression of an arbitrary normative point-of-view that, if imposed on other contexts, could be seen as illegitimate normative

domination. Table 3 shows each of the three properties of recursion in the rows and identifies the corresponding recursive operations in recognition in the next column.

Table 3. The three properties of normative recursion and the corresponding recursive properties in Honneth's concept of recognition.

Normative Recursion	**Recognition (Honneth)**
Self-reference (and self-calling)	Recognition as self-referencing procedure Call for the general principle of recognition to particular situation
Self-embedding (and hierarchical order)	Demand for discursive validation Rounds of discursive validation/challenge always possible
Single source or rule, infinite outputs from finite input (and expansion of information)	Recognition as normative foundation (same process repeated) No upper limit to amounts of struggles (limit to recognition worthiness) Expansion of the general principle of recognition through individuality and/or inclusion

We can sart by looking at the property of *self-referentiality* and the connected recursive trait of procedural *self-calling* in the first row. Combined, recursion here refers to the capacity of a process to be able to reference itself and to the capacity to call upon this self-reference as part of the process. In the recursive transition network for recognition we see both of these capacities on display. The recursive node *Struggle* is self-referential in that the operation performed here, that of struggling for recognition, is contained within the overall procedure, which is also a struggle for recognition. As explained above, the motivation that can be generated from the experience of disrespect is what fuels the entire process, but is also recursively represented as a step in that same process. In addition, the node *Struggle* also depicts a self-calling recursive property in the foundational aspect of the recognition procedure. That is, recursion appears in the feature that the concept of recognition always contains the seeds for further rounds of struggles for recognition. The energy for new demands and struggles for recognition is not external to the concept, but rather contained within it in a foundational manner. When new identities are added to the general principle of recognition, they automatically become available as inspiration for new particular struggles. This constantly present ability in the process of recognition to call upon itself is thereby an expression of a recursive grounding.

With this, we can move on to the recursive property of *self-embedding* and the closely connected recursive trait of *hierarchical ordering* in the second row. Self-embedding captures the recursive capacity of a process to insert its own copy into itself as a constituent of the same kind. Hierarchical ordering refers to the ability to keep track of such copies by layering them in order. In the illustration of recognition as a recursive process, the recursive dimension of embedding is seen in the demand for intersubjectively having one's claim to recognition validated. That is, this demand for a public exchange over the validity of one's struggle for recognition can be seen as the location where the recognition inserts its own copy. It is this demand that can give rise to new rounds of struggles for recognition. This demand is of course also present when a claim to recognition is merely reaffirmed, as denoted by the direct route from the node *Demand* to the node *Accept*. But here we can find no embedding, since this process does not stimulate the emergence of a new identical round. When, however, a new round of struggle is recursively initiated because of the experience of disrespect, we see the recursive trait of hierarchical ordering in the process, since such rounds naturally occur with reference to previous struggles and how the general principle of recognition was in those cases granted to other particular identity-shaping life-situations.

From here, we can proceed to locate the recursive property of *multiple outputs stemming from a single source* in the third row. This refers to the recursive property that a potentially infinite amount of iterations can be traced back to the same single rule. With recognition, this recursive property can be seen, once again, in the aspect of recognition as a normative foundation and in its formal character. Regarding its foundational aspect, the procedure of recognition contains what we saw Honneth terming "transcendence within immanence." Transcendence refers to an invariant point of reference and must as such be understood as foundational. In recognition, this transcendence is seen in the circumstance wherein the reconstructed dynamic of recognition is presented as desubstantialized. That is, as not dependent on the contingent value-horizon from which it was derived. The innate anthropological need for recognition and fully realized relation-to-self must be understood as transcending whichever identities were regarded as recognition-worthy in the context from which Honneth immanently located them. The need for recognition as such is, as we saw, not tied to any particular 'thick' ethical conception of the good. It is this immanence-transcending and foundational property of recognition that is recursive in the sense of it constituting a single – invariant – rule. This recursive property is also intimately connected to the formal character of recognition. Because recognition as a concept constitutes the basis of a *formal* and *abstract* yardstick for normative evaluations, it allows for a multitude of expressions to fall within the scope of what it allows. Here, the formal character

of the normative criteria of individuality and inclusion must be stressed, since these do not – qua their formality – concretely determine in advance which identities can be recognized.

This leads us directly to the closely related recursive trait of being able to generate *infinite outputs from finite inputs*. This recursive feature refers to an open-endedness with regard to the variation that can occur from a single recursive rule. With recognition, such recursion can be seen precisely in the formality of the normative criteria of individuality and inclusion. These criteria do not pre-determine which identities can potentially be recognized, nor do they close off in advance the future worthiness of identities whose content we cannot even imagine at present. With recognition, such determinations will always be left to the people engaged in intersubjective relations of recognition. The formality of these criteria, in other words, displays recursive characteristics because they allow for (potentially) infinite expressions of recognition-worthy identities.

It is here important to stress the simultaneous normatively *substantive* content of recognition as a critical yardstick. It is still the case that recognition can be used to distinguish between progressive and regressive demands for recognition, since such demands must still contribute to the expansion of individuality and inclusion. In this way, while the formal normative standards for recognition recursively allow for an infinite array of expressions, they do so only by substantively allowing *expressions of a certain kind.* It is from this recursive property, I believe, that this kind of critical normative concept gains its normative potency as a fixed-yet-flexible evaluative standard.

Finally, we can end by looking at the resulting recursive feature of *an expansion of information*. Here, recursion occurs since the output of a recursive procedure is fed back into the system such that its complexity increases by the addition of output-information. With recognition, recursion of this kind is located in its normative validity surplus when, as described, the recursive recognition procedure always contains the seeds for a potential expansion relation of recognition, as well as when, through already successful struggles for recognition, such expansions become available as inspiration for new identity struggles.

In Chapter Five we will continue with an analysis of the critical theory of Forst and his rationally reconstructed concept of justification. In this analysis my emphasis is on the recursive function of justification as a social practice. Chapter Five stands slightly apart from Chapters Three and Four in terms of the structure of the thesis, since I do not locate in Forst the same teleological recursion we saw in both Habermas and Honneth's reconstructive methods (see the joint

introduction to Chapters Three and Four). With Forst, recursion comes into play only as the property that allows for the critical concept of justification to be both culture-neutral and culture-sensitive. But as such, I am still able to analyze justification as a process by depicting it as a recursive transition network.

Chapter Five

Justification
- recursive grounding of a normative concept

In the critical theory of Forst, we find not only an attempt to systematically redefine the theoretical discourse on justice, but also a commitment to establishing the normative foundation of this endeavor (Forst, 2012: vii). This work of redefining the content of justice leads Forst, as we will explore in detail, to a critical theory of justice where the right to justification is seen as *the* basic human right. In this critical theory of justice, the idea of justification as a right must both be understood as the substantive material of justice and as the location of the normative foundation of critique. Regarding the former, justification as the idea of having the right to being given (good) reasons is seen as the most basic level of justice. It must be established well before more concrete deliberations within thick contexts of various justice demanding evaluations take place. As I will show, this right must be understood as a recursive right in that it procedurally calls upon itself, establishes hierarchies among instances of justifications, expands the reservoir of what counts as demands worthy of justification, etc. Regarding the latter, justification is also presented as the appropriate starting point for answering the " 'ultimate' normative question of how the duty to justify can itself be justified within moral philosophy" (Forst, 2012: 2). Here, I will again argue that the justification of justification itself must be understood recursively and that any claim to answering this ultimate normative question hinges on this recursive property.

With the critical theory of Forst, in other words, we get both a substantive account of the nature of justice and an explanation of the normative foundation thereof. And as we will see, both of these two objectives are achieved by the same formal logic contained within the concept of justification. It is this double movement in Forst, where substance and foundation spring from one and the same source, that I will ultimately explore here and explain through the concept of recursion. In other words, this chapter relates justification as an immanently derived normative

concept with formal properties to the concept of recursion. The purpose is to show how, through the recursive properties of justification, this concept gains its normative potency as a fixed-yet-flexible evaluative point of reference. As a through line in making this point, this chapter will focus on what I consider the most exciting and also challenging quality of Forst's theory of justice, namely that it "rests on a 'thin' but strong normative foundation that can plausibly claim to be both culture-neutral and culture-sensitive" (Forst, 2012: 266).

But before we proceed, I will in the following first provide a general introduction to Forst's theory of justice as the right to justification. (**Section I**)

Having laid out the central building blocks of Forst's critical theory, I will then demonstrate how these are put in place in order to make it a (formal) property of his concept of justice; that it can be both culture neutral and culture-sensitive. (**Section II**)

Finally, I will relate the critical insight gained from this exploration of Forst to the overall endeavor of this thesis, namely that of showing how it is the recursive properties of critical concepts – here, justification – that allows them to be fixed-yet-flexible evaluative points of reference. That is to say, recursion as the property that allows immanently derived critical normative concepts, such as justification, to transcend their immanent origins. Here, I will revisit the idea of illustrating justification as a recursive transition network – and show the recursive nature of justification through the three properties of recursion laid out previously. (**Section III**)

I A brief introduction to the project of Forst

Forst is often considered to be among the leading heirs of the Frankfurt School tradition of critical theory. On his own account, this is broadly speaking a tradition that combines philosophical and social-scientific theory and that is informed by a commitment to finding the possibilities of emancipation in society (Forst, 2017: 225). For Forst, critical theory sets for itself the task of rationally reconstructing – from the starting point of our given historical situation – the structure of the fully just society. That is to say, it takes as its starting point what we have been given historically and imagines both how a fully justified version of this would look and which obstacles stand in the way of thereof: "Critical theory inquires into the rational form of a historically situated and normatively justifiable – and in that sense, *just* – social order. At the same time, it asks why the power

relations that exist within (or beyond) a society prevents the emergence of such an order" (Forst, 2017: 225).

With Forst's own version of such a critical theory, we are presented with a rational reconstruction of the concept of *justification*. With this concept as the central building block, Forst has produced both an approach to critical theory and advocated for a new foundation for a theory of justice. In doing so, Forst establishes through the concept of justification a connection between normative theory, social theory and social critique (Forst, 2017: 227). This link comes about since what is being rationally reconstructed – justification – must simultaneously be viewed as real social and political relations between people 'out there' in our historically given reality and also as a normative foundation from which such relations and their practical forms can be criticized. In this way, the concept of justification is in Forst meant to be both an analytical tool with which to make sense of our social reality by illuminating certain orders and contexts of justification, and a normative concept with which inhabitants of such orders and contexts can critically evaluate them as just or unjust:

> First, [this approach] treats justifications that legitimizes and constitutes norms, institutions, and social relations as empirical 'material' or social facts for the purposes of a critical analysis of their development (e.g. in the context of certain justification narratives), stability, and complexity. Second, it takes a critical stance on these justifications by scrutinizing their normative quality, how they came about, and the structures they justify. (Forst, 2017: 228)

Importantly, while it is of course Forst, in the role of the critical theorist, who rationally reconstructs the concept of justification and erects a theory of justice around it, the critical application of this theoretical apparatus is a practical question meant to be exercised by "those who are subjected to a normative order and not one to be decided elsewhere" (Forst, 2017: 228). In other words, while the inner workings of the concept of justification might polemically speaking have been reconstructed in the ivory tower, the practical evaluation of what constitutes a just order of justification must be left to the people on the ground who inhabit it.

So, what exactly is justification as a "social fact"? And further, what normative criteria does it provide for evaluating social relations, norms and institutions? Regarding the first question, justification is the discursive practice of giving (good) reasons for practices, norms or institutions that affect people. When, for instance, some norm affects us, it is justified to the extent that everybody subjected to that norm accepts the reasons given for its existence. A just social order, then, is *theoretically* one where all such practices, norms and institutions can be

normatively justified to everyone affected by them. In *practice*, conversely, justification is the actual activity of people discursively demanding and giving reasons for such practices, norms and institutions. On this picture, we could say that the antithesis to a justified social order is one defined by arbitrary power relations, that is to say unjustified practices, norms and institutions.

Regarding the second question, it is clear that the concept of justification gives rise to normative criteria when it can be claimed that we differentiate between what counts as good and bad reasons. While the practice of discursively arriving at justifications might be left to the subjects of justificatory orders, the concept of justification is itself imbued with the normative resources that make the distinction between good and bad reasons possible. In Forst's rational reconstruction, this normative resource is first and foremost connected to the moral claim that all human beings qua humanity are born with the right to justification. As Forst explains, his theory of justification traces all human rights to a single root, namely the right not to live under the constraints of an unjustified or arbitrary social order:

> My thesis [is] that one claim underlies all human rights, namely human beings' claim to be respected as agents who have the right not to be subjected to certain actions or institutional norms that cannot be adequately justified to them. In other words, human rights have a common ground in *one* basic moral right, the *right to justification*. (Forst, 2012b: 81)

It is from this moral assumption about people having the right to demand that the social order in which they live is acceptably justified to them that the normative criteria inherent to justification come. In order for a practice, norm or institution to be regarded as justified it must live up to the normative criteria of being generally and reciprocally valid (Forst, 2017b: 3). As Forst explains:

> To cut a long argument short, I think that at the center of a conception of political and social justice there should be a theory of the intersubjective justification of norms that can reasonably – that is, with good reasons – claim to be reciprocally and generally valid. The norms that regulate how the most important rights and resources are granted and distributed have to be justifiable with reasons that can be accepted equally by all citizens as free and equal persons. (Forst, 2018: 76)

In other words, the concept of justification comes with normative content, since in order for a moral right to justification to make sense there must be some criteria, in this case reciprocity and generality, for deciding upon the validity of different justifications. Otherwise, it would be hard for me to imagine how it could be

decided whether such a right was truly had by someone or not.[23] The criterion of reciprocity "means that A cannot claim a right or a resource she denies to B and that the formulation of the claim and the reasons given must be open to questioning and not be determined by one part only" (Forst, 2018: 76). And further, the criterion of generality means "that the reasons that are sufficient to support the validity of norms should not just be acceptable to, say, two dominant parties in a society (Protestants and Catholics, for example), but to every person and party involved" (Forst, 2018: 76).

Importantly, and this must be emphasized, these criteria are, while clearly imbued with substantive normative content, formal criteria. This is the case since in the end the test for reciprocal and general validity remains with the subjects to whom reasons are presented. Here, "the right to justification grants each of the affected not only a right to a say in matter, but a *veto right* against basic norms, arrangements, or structures that cannot be justified reciprocally and generally to him or her. This right is and remains irrevocable" (Forst, 2012: 6). I will return to these criteria in the following and stress their formal character, but for now the key importance is to emphasize that the concept of justification as a moral right comes with its own evaluative standard with which concrete reasons can normatively be determined to be either good or bad.

As a final introduction to Forst's critical project, a few comments on what it means to introduce a moral source of normativity through the right of justification must be made. It should here be noted that Forst relies on the Habermasian distinction between morality and ethics. This distinction suggests that "an ethical justification rests on a notion of the good life, even if it is a very general one, while a moral

[23] To be precise, as Forst explains, there is no access to normative content outside of the construction of a theory of justification. It imports its normativity from justification itself, as the single root with a force which pushes for the better argument: "In a constructivist theory, there are no external 'derivations' that can trump the construction. This is apparent in that the right to justification can always assume the form of a substantive objection or argument as well as the procedural form of the demand for discourses of justification, which bring to bear the forceless force of the better argument or rather the force pushing toward the better argument. Discourse theory of justice has a variety of substantial normative presuppositions and implications, none of which can be validated nondiscursively, for each one must be justifiable in correctly structured discourses. A general recursive and reflexive context is thereby set up, which overcomes old divisions between procedural and substantive approaches not only in moral philosophy but also in democratic theory. This is apparent, for example, in the extent to which the 'co-originality' of human rights and popular sovereignty, on which Habermas rightly insists, can be explained in light of the principle of justification and (in contrast to Habermas) from this single root alone" (Forst, 2012: 7).

justification is supposed to be neutral as to the question of the good or worthwhile life" (Forst, 2012b: 87). In other words, questions of morality concern what can be said to be right regardless of what different people hold to be their particular ethical ideal of the good life. In this sense, the kind of moral normative content that is given by the criteria of reciprocity and generality is supposed to be able to neutrally encompass a plurality of differences in ethical conceptions (such as identities, religious views or other higher truths – in short, what Rawls calls "comprehensive doctrines") (Forst, 2018: 77).

The normative criteria of reciprocity and generality, then, do not *prima facie* judge the validity of different ethical conceptions in a way that would find some life-values better than others. It does, however, introduce a 'threshold' between ethical values and moral norms in the following manner: While people in their own lives might be informed by their ethical conceptions and particular values, they must, if they want to justify some social practice, norm or institution, give reasons that have moral categorical force. Here, moral categorical force means that these reasons are generally and reciprocally acceptable, as opposed to, for instance, being grounded in some non-shared higher truth. A translation from the ethical to the moral must take place in order for a proposed practice, norm or institution to be justified, and the normative threshold for the validity of this translation is generally and reciprocally shared reasons: "Thus, whereas in the context of ethical justification it is ultimately you (on whatever 'higher' ground) who decides about the direction of your life, in the context of moral justification it is others to whom you owe good reasons" (Forst, 2018: 77). Again, what counts as a good reason remains dependent on intersubjective moral discourse between the people subject to the justification in question.

On justification: beyond distribution, procedural vs. substantive and 'the good'

So, what are the benefits of such a critical theory of justice which has as its focus justificatory relations and as its normative core the right to justification? Reflecting on his overall contribution to the field of justice, Forst maintains that his theory, in which the moral right to justification is seen to be at the heart of all political matters of justice, frees us from many entrenched and worn-out notions of justice. First, that justice is about the distribution of goods, second, that justice is either procedural or substantive in nature and third, that a concept of justice must at some point rest on a notion of 'the good.' Put differently, that it is impossible for a concept of justice to stand autonomously, free from such a 'thick' notion as 'the

good' and to allow for a plurality of ethical conceptions about what counts as the good life (Forst, 2012: 3–8).

From redistribution to intersubjective relations of justice

Regarding the first notion of justice as distribution (of some kinds of good), Forst views this idea as an unhelpful inheritance from the ancient notion of justice as 'to each his own' (Forst, 2012: 3). In other words, that people are due some good either relative to others or in absolute terms. Though Forst of course concedes that questions concerning distributive justice rightfully fall under the domain of justice, it is his contention that they do not exhaust it. Here, Forst makes the recognizably Marxist claim that the distributive view of justice fails to encompass the *political* questions of how goods are produced and how both production and distribution should systematically be organized in order to be just. But more importantly, Forst rejects the distributive view of justice because it fails to consider autonomous people as subjects of justice, treating them instead as receiving objects (Forst, 2012: 4; 2014: 4). To Forst, the distributive view is problematic because it sees people's claims to goods as somehow given (for instance the claim that justice requires an equal distribution of goods), and it fails to consider the subjective and discursive establishment of why some distribution is claimed as the just one. Instead, a theory of justice must reflect the intersubjective nature of justice, where justice is in the first place actively and discursively created between subjects. Here, justice is not viewed from above, so to speak, as a given formula for a just distribution, but rather from below, at the level of personal experiences of injustices and the intersubjective formulation thereof:

> "justice – which always includes an analysis of injustice – must aim at intersubjective relations and structures, not at a subjective or supposedly objective provision of goods. Only in this way, by considering the first question of justice – the justifiability of social relations and the distribution of the 'power of justification' within a political context – is a radical conception of justice possible: one that gets to the roots of social injustice. This insight is at the center of a *critical theory of justice,* whose first 'good' is the socially effective power to demand, question, or provide justifications, and to turn them into the foundations of political action and institutional arrangements. This good, however, cannot be 'delivered' or 'received', but must be discursively and collectively constituted. Only a critical theory of *relations of justification* can show whether and to what extent this is possible or impeded. (Forst, 2012: 4–5)

This view of justice as intersubjective relations – that is to say, justice as people with the right to justification-giving, -demanding and -receiving reasons – sidesteps the pitfalls associated with distributive justice: It does not assume that the material of justice is some given good which people either passively have or do not have. Instead, it treats justice as a discursive phenomenon that is actively created by people. In this way it also manages to keep in view the systematic production of justice, so to speak, insofar as it has as its focus the entirety of the intersubjective relations and structures that make up justificatory relations (or lack thereof).

From either substantial or procedural justice to both

Further, and in relation to the second traditional view of justice, in which a theory of justice is *either* procedural *or* substantive, Forst believes that his discursive concept of justice also retires this view. Broadly speaking, we can say that a procedural theory is one that sets up some neutral procedure for solving conflicts, or at least some procedure which is meant to appear as based on reason and thus reasonably neutral. Such a neutral procedure is supposed to be able to solve any substantive problem fed into it without taking sides from the outset. Here, it is the procedure itself that necessarily renders the outcome just. Consensus theory is an example hereof, since no problem is deemed inadmissible in advance and no specific type of solution other than fairly arrived at agreement itself is favored from the outset. Conversely, a substantive theory is one that has predetermined normative content which would from the outset tip the scale in favor of some types of solutions. In such theories simply the outcome would matter, since not all outcomes, regardless of the fairness of the procedure, are viewed as equally just. But with the theory of justice as the right to justification, Forst introduces a way of thinking about justice where we can have it both ways.

The general idea is that the concept of justification – that is, the idea of getting, receiving and demanding reasons – makes up "a general recursive and reflexive context" to which all autonomous people have access (Forst, 2012: 7). This context provides the *procedural* right of all people to call into question all substantive normative statements regarding matters of justice. But further, the "general recursive and reflexive context" of justification also entails that all such substantive statements must be able to withstand the procedure of justification in order for them to be legitimate. This follows, since Forst is also introducing to the procedure of justification the *normatively substantive* criteria of *reciprocity* and *generality,* which all normative claims regarding matters of justice must meet in

order to be acceptable. As can be recalled, the criterion of reciprocity entails that "no one may refuse the particular demands of others that one raises for oneself (reciprocity of content), and that no one may simply assume that others have the same values and interests as oneself or make recourse to 'higher truths' that are not shared (reciprocity of reasons)" (Forst, 2012: 6). In other words, I cannot demand some sort of justice for myself and then deny it to others in similar circumstances. And further, the justification I give for why my particular claim is considered just cannot rely on non-shared or assumedly shared values. As we saw above, the criterion of generality "means that reasons for generally valid basic norms must be sharable by all those affected" (Forst, 2012: 6). The justification of my particular claim must, in other words, rely on reasonable values that could be said to be shared by everyone who my claims affect.

This means that every autonomous person has reflexive access to the procedure of justification for all matters concerning justice (what looks like neutral proceduralism on the traditional view of justice). However, this procedure also entails the substantive criteria of generality and reciprocity, which make it possible to distinguish between good and bad reasons (what looks like substantive justice on the traditional view). It is in this sense that Forst's theory of justice as justification is both procedural and substantive: It provides a fair procedural framework for dealing with any justice-related claim without *prima facie* deciding which substantive claims are admissible, since we cannot determine in advance what kinds of justifications people will accept. In this sense the procedure respects the autonomy of the subjects in a justificatory order. But further, justification also entails an inherent normative foundation, since the normatively substantive demands for claims to be both reciprocal and general in order for them to be good claims are inherent to the idea of justification itself. This is the case, as I see it, since without reciprocity and generality we would not be able to identify a given reason as a justification, or at least not as a very good one. If I demand from you something that I would not accept as a demand for myself, falsely assume in my argumentation that we share the same values and interest, refer to higher truths to which you do not subscribe and it is also the case that we do not share the reasons behind my demand even though you are affected by it, then I might have provided you with *some kind of reason* for my demand, but we cannot in any meaningful way say that I have given you a *justification*.

Furthermore, the theory of justification also moves beyond the classic division between substantive and procedural justice by combining elements of what Forst calls "moral and political constructivism." As Forst explains, his critical theory of justification combines the moral-philosophical idea that a fundamental

conception of justice can be constructed (moral constructivism) with the political-philosophical ideal from social-contract theory that the basic social structure of a political community can be viewed as "the autonomous achievement of the members themselves"(political constructivism). Here, a *basic structure of justification* stands in as a conception of fundamental justice along the lines of traditional moral constructivism. That is to say, with the idea of justification, Forst constructs a substantial moral ground from which to evaluate which conditions must minimally be present in a society in order for it to "meet the demand of justice" (Forst, 2012: 6). But at the same time, the concept of justification also contains the proceduralist idea that concrete determinations about justice must be discursively determined by the members of a political community themselves. The basic structure of justification resembles political constructivism, then, in that it does not "supply a blueprint for the 'well-ordered' society," since the autonomy of the members of a political community remains respected (Forst, 2012: 6) – the task of developing such a blue-print remains with them. In this sense, in the concept of justification, the ideas of substantive and procedural justice collapse into each other as a consequence of mixing moral and political constructivism:

> Thus, both constructivist procedures – moral and political – overlap, and any substantive normative implication has, on the one hand, an independent significance and is, on the other hand, always also discursive in nature. Every norm that is used to confront actual justifications and policies must itself prove to be reciprocally and generally legitimate within appropriate procedures of justification. In a constructivist theory, there are no external 'derivations' that can trump the construction. This is apparent in that the right to justification can always assume the form of substantive objection or argument as well as the procedural form of the demand for discourses of justification, which brings to bear the *forceless force of the better argument* or rather the *force pushing towards the better argument*. A discourse theory of justice has a variety of substantial normative presuppositions and implications, none of which can be validated nondiscursively, for each one must be justifiable in correctly structured discourses. A general recursive and reflexive context is thereby set up, which overcomes old divisions between procedural and substantive approaches not only in moral theory but also in democratic theory. (Forst, 2012: 6-7)

To stress the point: The kind of constructivism Forst ends up employing in his theory of justification maintains that moral and political judgements must be constructed by autonomous members of a political community via discursive practices. In this sense justification remains purely procedural or formal. But at

the same time, this discursive construction of judgement is reigned in, so to speak, by the substantive requirements of a basic structure of justification, whose ideal content stipulates the reference points for such discursive practices (reciprocity and generality). Thus, while concrete judgements might be left to the members of a political community, these judgements must still be justified in a way that takes into account the consequences for all those affected by them.

An autonomous theory of justice

This finally leads us to the third way in which, according to Forst, the theory of justification advances our traditional ideas about justice, namely that the concept of justification can allow for an autonomous theory of justice. That is to say, a theory of justice that does not rest on a thick notion of the good, but rather is capable of containing a plurality of ideas about the good without contradiction. What this means is that a theory of justice based on the concept of justification requires no final recourse to some substantive ethical notion of what a good life should look like; it needs no vision of human nature or an ideal state of being from which final standards for arbitration in the really sticky matters of justice can be derived. Instead, a theory of justice based on justification "must not only fit into concrete social contexts, but also do justice to the plurality of ethical values and to various social spheres and communities" (Forst, 2012: 7). This is achieved by letting the concept of justification itself – not a conception of the good – be the foundation of justice. And as we saw above, justification retains a strong formal character, in that it leaves moral and political judgments to autonomous subjects through discursive practices. Here, the ethical values of a plurality of communities, that is to say a plurality of conceptions about the good, is respected and kept in place, since the formal concept of justification only stipulates how such discursive practices must be carried out (i.e., discursive reasons must be justified through the criteria of reciprocity and generality). The concept of justification is thus deontological in the sense that it only requires the participants of practical discourse to justify their (potentially ethical) viewpoints through the procedure of emphasizing their general and reciprocal validity:

> A more important aspect of the autonomy of the theory is that [it] does not rest on a conception of the good. This deontological character becomes clear not only from reflecting on the ethical pluralism of 'comprehensive doctrines', as Rawls would put it, but also from the validity claim made by justice itself to consist in principles and norms that cannot be reciprocally and generally rejected and so can even justify the force of law. And so ethical arguments, if they want to wrap

> themselves in the cloak of justice, must be able to pass the threshold of reciprocity and generality. This is precisely how to prevent particular value orientations (those of a majority, for instance) from being imposed on others without sufficient reason or authority. Because the theory remains fundamentally agnostic in relation to the good, it is better at doing justice to the pluralism of goods than an ethically grounded theory. (Forst, 2012: 8)

A particular point of view, then, might be ethically motived along the logic of some specific notion of the good, but must always be intersubjectively formulated in such a way that it appears valid for all the other affected parties who might hold different conceptions of the good. The deontological nature of the concept of justification does not adjudicate in matters of one notion of the good versus another, that is to say, in matters of incommensurable comprehensive doctrines. Instead, it forces the participants of practical discourses on justice to test the validity of their particular claims against the generalized viewpoint of the other. This operation shares important similarities with the deontological nature of Kant's categorical imperative, in that the subject is asked to perform ideal role-taking and consider the viewpoint of the other. In Forst, this kind of ideal role-taking can be seen in both the criteria for acceptable justifications of reciprocity of reasons and generality. Concerning the former criterion, the subject cannot assume shared values or make recourse to non-shared higher truths. Regarding the latter criterion, the subject must make use of reasons for generally valid basic norms that can be shared by all those affected. In other words, both the criteria of reciprocity of reasons and generality require the subject to justify their particular viewpoint by taking into account the plurality of ethical conceptions of other members of their political community. This is a form of deontological ideal role-taking which precludes any one version of the good to act as the foundation of the concept of justification. Here, a plurality of such conceptions about the good must be respected and only stifled insofar as they underpin justice claims that cannot be reciprocally and generally justified. A theory of justice based on the concept of justification is thus autonomous, or free-standing from ethical conceptions, insofar as the "central standing of individual self-determination by a justificatory being, as it is expressed in the demand for reasons […] can be viewed as a non-ethical and purely deontological foundation" (Forst, 2012: 8).

To sum up, a theory of justice based on the concept of justification offers, according to Forst, three breakaways from the dividing lines of the more classical political philosophical debates on justice. First, it moves the discussion on the nature of justice away from questions about distributions of goods and onto the terrain of intersubjective discursive practices – viewing people as subjects engaged

in creating justice rather than receiving objects. Second, it collapses the classic division between procedural and substantive theories of justice onto itself. Such a theory of justice *both* employs a political constructivism which delegates political-moral judgements to the discursive will-formation of autonomous subject, *and simultaneously* uses a moral constructivism which erects the basic structure of justification with its normatively substantive criteria of reciprocity and generality. And third, a theory of justice based on the concept of justification is autonomous in the sense that it does not rest on a notion of the good. Instead, it amounts to an ethically free-standing theory. That is to say, a theory of justice that is "fundamentally agnostic about the good" – but which is still capable of informing us on matters of justice. Indeed, in Forst, justice must be seen "as the first and overriding virtue in political contexts," since it is the "prime principle used to determine the legitimacy of other values such as freedom and equality etc. in whatever concrete forms they are presented across contexts" (Forst, 2012: 7–8).

II On the plurality of conceptions of the good contained in justification

On the basis of this introduction to Forst's concept of justification and the innovations it brings to the political-theoretical field of justice theory, we can now move on to the central question of how exactly Forst can claim that justification can be a normative foundation for a theory of justice that is both culture-neutral and culture-sensitive. In the context of discussing the right to justification as the basis for a critical theory of transnational justice, Forst states:

> [The critical theory of transnational justice] rests on a 'thin' but strong normative foundation that can plausibly claim to be both culture-neutral and culture-sensitive; it contains a plurality of considerations of justice; and it stresses the autonomy of the members of political communities as both an internal and an external principle: self-government in a justified basic structure remains the central aim of the theory. Without autonomy of this sort, justice cannot be established, for justice in political contexts demands that there are no social relations 'beyond justification'. (Forst, 2012: 266)

We see here that the normative foundation of such a theory of justice should be able to accommodate a plurality of conceptions of justice, be sensitive to cultural or contextual differences and simultaneously itself be neutral towards cultural differences. But how is this possible?

One way of getting at the problem is to delve deeper into the idea explained above that justification can deliver a foundation of justice that does not rest on a conception of the good. Indeed, a foundation that bridges the gap between universalism and contextualism insofar as it both respects contextual ethical conceptions of the good and also provides a general and universal right to justification with priority over competing conceptions of the good (Forst, 2002: 229). As Forst explains, the principle of justification leaves concrete determinations about self-determination, rights, political autonomy, moral integrity, etc., to subjects within the relevant contexts without superimposing one conception of the good on these contexts:

> By reason of its procedural character, the principle of general justification does justice to the substantive conceptions of the good of persons in communities, without resting on a theory of the good: regarding questions of ethical self-determination, equal rights, political autonomy, and moral integrity, it refers to contexts that are filled in concretely by ethical persons on the basis of their identities, by legal persons in mutual respect for personal autonomy, by citizens in political self-determination, and by moral persons in reciprocal recognition. (Forst, 2002: 229)

In other words, the procedural or formal nature of the concept of justification allows for concrete determinations about such matters to be discursively made among the subjects themselves within a horizon containing a plurality of conceptions of the good. In this manner, citizens themselves, in the context of the political, for instance, carry out the discursive practices of determining political autonomy, while ethical persons in the context of ethical self-determination discursively make judgements on the basis of their different identities, etc. The reason this is possible is that the principle of justification provides a moral and deontological – not ethical – standpoint with which the subjects in their respective contexts must adjudicate between their diverging ethical conceptions of the good:

> The practical reason of 'morality' does not suppress 'ethical' content; rather, it formulates principles that jointly enable individual and collective self-determination. In this complex view of different contexts of practical questions and reciprocal recognition there lies the possibility of a connection between universalism and contextualism. (Forst, 2002: 229)

In other words, the deontological principle of justification functions as the only possible commonly shared set of rules through which self-determination can take place between autonomous people with divergent and perhaps even

incommensurable conceptions of the good. Here, the universal idea of morality joins the contextual idea of ethical conceptions of the good – without the moral principle of justification itself somehow resting on an ethical notion of the good. Thus, the various comprehensive doctrines which inform the values and norms of people in different contexts are respected.

It is in this sense that we see an opening to how a theory of justice based on the concept of justification is supposed to be both culture-neutral and culture-sensitive. On the one hand, such a theory of justice would work as a non-ethically informed set of neutral rules for self-determination among competing subjects with (potentially) conflicting conceptions of the good. On the other hand, such a theory of justice would be sensitive to the local contexts of culture, norms, values, etc., by allowing the subjects themselves to discursively fill out the concrete content of justice via discursive practices under the constraints of the formal and substantive criteria of generality and reciprocity.

The priority of the right over the good

A way of getting closer to the inner workings of the mechanism that allows for this seemingly paradoxical 'neutral sensitivity' is to look closer at Forst's critical engagements with both Will Kymlicka and Benhabib, exactly with regard to the importance of an autonomous theory of justice (Forst, 1997a, 1997b; Kymlicka, 1997; Benhabib, 1997). Regarding Kymlicka, Forst charges him with relying on "liberal culture" in order to arrive at a multicultural account of justice. Regarding Benhabib, Forst charges her with basing her philosophical ideas and notion of justice on an ethical ideal of reconciliation and transformation of the relation-to-self through moral dialogue. In both cases the claim is that *an ideal of the good life to which all subjects could not reasonably be expected to agree* is used to underpin justice – leading to non-neutral and therefore problematic and non-autonomous theories of justice.

Setting the stage for Forst's interaction with Kymlicka, is a concern on Forst's part that, by relying on liberal rights and a liberal cultural conception of autonomy, Kymlicka is "in a potentially ethnocentric way imposing 'our' values on other groups" (Kymlicka, 1997: 83). This is the case, as the liberal conception of autonomy employed by Kymlicka is not shared by all ethnocultural groups. As Kymlicka sums up Forst's objection: "[M]ainstream Western societies may have exalted autonomy, but this is hardly a universal value" (Kymlicka, 1997: 81). Is liberal autonomy itself therefore not rather a "part of the heritage of just one cultural tradition?" (Kymlicka, 1997: 81). On Forst's reading of Kymlicka, he is

connecting an ethical conception of the good life with a specific (liberal) societal culture, "by arguing that the preconditions for the good life is that a person can autonomously choose (or revise) his or her conception of the good among a range of ethical options provided by one's societal culture" (Forst, 1997a: 64).

It is Forst's objection to such a link between a societal liberal culture (often with shared language and territory) and a specific conception of the good life (in this case the liberal notion of autonomously being able to choose between different ethical conceptions) that it cannot function as the "basis for a conception of multicultural justice" (Forst, 1997a: 65). For Forst, the liberal notion of freely choosing among competing ethical conceptions cannot work as "an impartial ground of justice" as long as it is tied up to a particular cultural heritage (Forst, 1997a). It is this connection to a concrete historical cultural tradition which makes liberal autonomy an ethical and non-universally shared conception of the good itself, though one could arguably call it a kind of meta-conception, since it is the ability to choose between different conceptions of the good which itself is the good in question here. Forst's solution to this problem is to sever the link between culture and the principle of justice by using *moral autonomy* rather than liberal *cultural autonomy* as the basis for justice. With this move of introducing a moral basis for justice, Forst is operating with a much less 'ethically thick' foundation than Kymlicka (Forst, 1997a):

> This conception of autonomy does not include a particular notion of freedom of choice – along with a corresponding notion of culture as a 'context of choice' – as a necessary precondition of the good life. Rather, it regards moral persons as having a basic 'right to justification' in the sense that for every claim others make on them, and especially for every form of force to which they are subjected, they must be given adequate reasons for justifying these claims and norms on which the force rests. (Forst, 1997a: 65)

The difference between a liberal conception of autonomy and a moral one might seem minor at first glance. But as Forst explains, it shows itself in that the moral conception of autonomy allows people *not to adhere* to a liberal choice-conception of the good life – while simultaneously demanding of them that they respect the moral standing of others: "A person may not accept the choice-conception of ethical autonomy as a precondition for the good life, but no (moral) person can justifiably – or reasonably, i.e., with good reasons – deny others the right to basic moral respect, whatever their notion of the good may be" (Forst, 1997a: 65). In other words, in Forst's decoupling of justice from culture, people are allowed to adhere to non-liberal ethical conceptions – they are just not allowed not to morally

respect the ethical conceptions of others, nor in the moral context to make justice-claims that do not live up to the criteria of generality or reciprocity, of course.

A similar line of argument in which Forst advocates for the separation of ethical conceptions of the good and theories of justice can be found in Forst's critique of Benhabib's "central philosophical thought" regarding this issue (Forst, 1997b: 79). On Forst's reading of Benhabib's idea of intersubjectivity, Benhabib smuggles in an ethical conception of the good in the guise of the seemingly neutral idea of reconciliation. Here, reconciliation refers to something close to the hypothesis that the subject learns and grows from her encounters with the other such that her identity, for instance, becomes closer to its authentic shape through concrete intersubjective encounters. It is Benhabib's contention that universalist theories such as those of Kant and Rawls, with their reliance on ideal role-taking from the perspective of the *generalized* other, fail to properly take into account the importance of ideal role-taking from the perspective of the *concrete* other (Forst, 1997b: 82). The difference is that Benhabib's notion of reconciliation relies on a more contextual intersubjectivity that emphasizes the importance of the subjects' identity-formation in relation to the concrete other, rather than through the impartial view of a generalized other. The problem with the latter approach is that it assumes one standpoint (the idea of generalized respect) to be universal in a way that fails to see how it is only one contextual standpoint among many – thereby repressively excluding all other kinds of perspectives. This is therefore a kind of "bad generality" that fails to respect the uniqueness of each and every individual and their needs and interests by superimposing the one value of generalized respect (Forst, 1997b: 82).

To avoid such bad and excluding generality, we must, on Benhabib's view, employ an "interactive universalism." This is a rather paradoxical and complicated thought, where the possibility of "mutual understanding," on the one hand, is assumed to be something universal, and where concrete contextual moral dialogue, on the other, is assumed to be something situated or interactive (Benhabib, 1997: 101). What makes this paradoxical is that, philosophically, Benhabib argues that the common universal ground between people appears through potentially thorny encounters with radically different others in concrete moral dialogues. But for Benhabib this kind of interactive universalism avoids the type of repressive exclusion that is inherent to any approach that, like Forst and the Kantian tradition, elevates the impartial view of a generalized other – that is to say generalized respect – to the highest moral virtue. Where these approaches fail to see how such generalized respect is but one standpoint among others possible, interactive universalism grounds its universalism in the ability of people

to understand the standpoint of whatever perspective they are met with, thereby excluding none in advance. As Forst sums this up:

> The 'revisability of perspectives' that lies at the heart of 'interactive universalism' thus on the one hand implies that one actually encounters the other as a concrete and different other while on the other hand it means that this encounter leads – via mutual dialogue – to the possibility of actually making the perspective of the other 'present', so that one understands what he or she thinks and what characterizes the difference between him or her and me. To put it paradoxically, the more present the other as different is, the more understanding is possible; the more obvious *difference* becomes, the more communality results. (Forst, 1997b: 83)[24]

The difficulty with this approach, according to Forst, is that it actually assumes a kind of ethical conception of the good life in the form of the ideal of a reconciled subject who has achieved a complete relation-to-self through her encounters with radically different others. This approach "presents an exaggerated view of the reconciliatory and transformative power of moral dialogue" (Forst, 1997b: 84). Here, Benhabib is assuming that the moral dialogue between concrete others can transform their initial differences towards mutual understanding.[25] This is problematic according to Forst, because it actually ignores the differences in viewpoints it claims to more ably protect or take into account, since in the end these differences only are stepping-stones towards the good of reconciliation. Thus, by treating the encounters and moral dialogues between concrete others as encounters of such ethical mediation or reconciliation, Benhabib is "running the risk of regarding 'difference' (or non-identity) merely as a 'moment' within that unifying process towards both personal and general social transformation" (Forst, 1997b: 84). So, in the end, rather than valuing the differences of concrete others, Benhabib is employing a "comprehensive understanding of the good life that is itself haunted by a particular form of 'identity-thinking': following a specific ideal of the reconciled individual and social life" (Forst, 1997b: 84).

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[24] This is a summary of Benhabib's position explicitly endorsed as fair by Benhabib (Benhabib, 1997: 101).

[25] It should be stressed that Benhabib is aware that such a transformative power of moral dialogue remains only a possibility, and that she is aware that breakdowns and struggles may very well also occur: "I am willing to admit, as Young, Benjamin and in a different way Forst urge upon me, that in *Situating the Self* I had emphasized more the goal of mutual understanding resulting through moral dialogue than those aspects of struggle and contestation, withdrawal and the breakdown of communication, which are equally ubiquitous in social life (although in several passages I refer to these phenomena [STS 22, 108 ff.; 138 ff.; 255-6])" (Benhabib, 1997: 101).

Therefore, the problem with this kind of ethical conception of the good life, according to Forst, is not the intention to take into account a plurality of unique and situated perspectives in questions related to justice. Rather, it is that having such a conception of the good actually undermines this intention: "Understanding the needs of others so as to judge what justice demands is different from reconceiving your own needs and ethical identity and regaining a fuller relation to yourself" (Forst, 1997b: 84). The point is that taking into account concrete circumstances and unique points of view should lead to a better understanding of what justice demands in the concrete situation – and should not *prima facie* lead to a change in the positions of the parties involved (though of course it could). In other words, the multitude of different viewpoints that are tied to concrete contexts should indeed be respected in a theory of justice, rather than being excluded through the application of a "bad generality" such as generalized respect. But, by employing an ethical notion of transformative dialogue, Benhabib risks the failure of achieving this, since her interactive universalism and respect for concrete difference is actually underpinned by the normative imperative that these differences ought to change towards reconciliation. This is the somewhat hidden ideal of the good life which Forst identifies in Benhabib.

Instead of such a conception of the good life as the ethical underpinning for a theory of justice, Forst argues for the same prescription as in the case of Kymlicka. The solution is to divorce the self-determination of the subject from such a conception, which cannot be shared by all, and replace it with a moral conception, which cannot be reasonably denied to others by moral subjects. In the case of Benhabib, this is achieved first and foremost by getting rid of the strong division between the concrete and generalized other that Benhabib utilizes (Forst, 1997b: 91). Forst's argument here is that the concrete other appears to us in different ways across different contexts. In the moral context, which must be thought of as different from the legal, political and ethical contexts, subjects stand in front of each other in a relation that lies beyond any political or ethical differences or similarities: simply as human beings deserving of moral respect qua their humanity (Forst, 1997b: 90). In this context, as we have seen, each person has the basic right to justification and norms that claim moral validity must meet the criteria of generality and reciprocity. What this means is that, when a certain moral norm has to be justified in a way that takes everybody equally into account (generality) and when what one demands for himself cannot be denied others (reciprocity), then:

> the strong opposition between the 'generalized' and the 'concrete' other is avoided; for every generalization has to take the concrete other into account, in the following way: the concrete other does not appear as somebody who claims to be esteemed or valued for his or her particular ethical identity, rather, he or she appears as a vulnerable, finite human being who deserves equal respect and consideration. (Forst, 1997b: 91)

Here, the concrete situatedness of the other is taken into account not despite of but exactly because of a common or general humanity. So, when "special consideration is called for due to differences that may, if not considered, put him or her in a disadvantaged position," this is so because as moral beings we must view the concrete other in the given situation as a person of general moral worth (Forst, 1997b: 91). In other words, here the particularity and context-specific situatedness of the other is only respected because of the intersubjective respect granted from viewing each other as people having equal rights to justification.

In Forst, unlike in Benhabib, the concrete situation of the other is not *prima facie* sought transformed towards an ideal of reconciliation and mutual understanding (an idea which does not truly respect the individuality of the concrete other). On the contrary, the universalism of granting all persons the right to justification in Forst is context-sensitive, since it actually leaves in place all (justifiable) ethical or political differences rather than seeking to change them (Forst, 1997b: 94). So, in contrasting his own approach of an autonomous theory of justice that deontologically places the moral right, i.e., the generalized viewpoint of the other in the form of intersubjective respect, with that of Benhabib, Forst shows how his theory of justice is actually "more reflective of the ethical plurality and normative complexity of our social and moral world without giving up the transcending normative idea of justice" (Forst, 1997b: 94). In the moral context, where all people are owed moral justifications qua their humanity, it is exactly the transcendent universalism of moral respect that allows for people to keep their differing particular ethical and political conceptions. As long as in the moral context these conceptions can be translated into demands for justice that live up to the moral criteria of reciprocity and generality, there is no need for supporting a theory of justice with an ethical ideal of the good life. Importantly, Forst admits that there is a kind of ideal in place in his deontological approach, namely that of the autonomous individual capable of "integrating" the different contexts of the political, ethical, legal and moral (Forst, 1997b: 94). Yet, this ideal is not ethical in the sense of purporting to lay objective claim to the truth about what constitutes the good life, such as was the case with Benhabib's reconciled subject working towards an ever more complete relation-to-self (Forst, 1997b: 95).

Rather, it is a formal ideal capable of containing a multitude of conceptions about the good life within the proviso of moral justifiability.

To sum up Forst's critical engagement with Kymlicka and Benhabib, Forst problematizes the fact that they both – albeit in very different ways – employ an ethical conception of the good as the normative underpinning of their concepts of justice. Where the former relies on the liberal culture of choice as a good to underpin his theory of multicultural justice, the latter uses the Hegelian concept of reconciliation and a more complete relation-to-self through transformative intersubjective moral dialogue as her normative foundation. In both cases, Forst shows, first, that they are thereby relying on *an ethical ideal of the good life,* and second, *that this is problematic since not all subjects can reasonably be expected to agree upon such an ideal.* Here, Forst's assumption is that it is implausible that we should be able to come up with an ideal of the good life to which all could reasonably be expected to agree: "Given the lack of an 'objective' truth about the good life, such a substantive ideal, it seems to me, cannot serve as the general normative basis for a critical theory of a just society" (Forst, 1997b: 95). Both Kymlicka and Benhabib are thereby failing to use an autonomous theory of justice, which is the only solution to this problem of not plausibly being able to have access to a universally shared conception of the good life. And such autonomy from the good is exactly what Forst prescribes in both cases. What is needed is a deontological prioritizing of the right over the good, such that moral justification is introduced as the normative ground for justice rather than finding this ground in ethical conceptions. In Kymlicka, self-determination and freedom of choice must be divorced from the ethical cultural background of liberalism and instead be anchored in morality itself. Similarly, in Benhabib, the interactive and situated universalism of taking the needs and situation of the concrete other into account in matters of justice, while well-intended, must be released from the ethical conception that such taking-into-account ought to transform the subjects towards reconciliation and a more complete relation-to-self. Instead, such attentiveness to the concrete other must take place on the background of the generalized moral respect universally afforded to people qua their humanity. Only then are their differences truly respected rather than thought of as something which ought to be transformed through discourse.

Finally, it becomes clear how considering Forst's critical treatment of Kymlicka and Benhabib helps to illuminate how his theory of justice can be both culture-neutral and culture-sensitive. We see here, through Forst's critique of such reliance on conceptions of the good for normative content, that they fail to deliver the autonomy of a deontological theory of justice. Again, what is gained by

introducing such a deontological prioritizing of the right over the good is that the transcendent normative property of justice is tied to a moral conception of respect that cannot reasonably, that is to say with good reasons, be denied by moral subjects to moral subjects. We thereby avoid tying justice to any ethical conception that we conversely could not reasonably expect all subjects to share. In other words, what is thereby gained is a more culture-sensitive theory of justice that allows for greater rather than fewer ethical conceptions of the good.

Of course, as we saw earlier, this does not mean that such a theory of justice is void of normative content to the extent of allowing that anything goes, so to speak. With justification as the basic right of all people because of their moral standing as human beings deserving of such respect, the normative criteria of reciprocity and generality remain in place. It is still the case that my demands for justice, in order for them to be justified, must take all people into account equally (generality) and that I cannot demand something for myself that I deny others (reciprocity). But this normativity is formal enough that it does not *prima facie* require anyone to adopt any conception of the good (i.e., an identity, political ideal, religious view, etc.) other than their own. It simply requires us to provide proper justifications for our particular viewpoint if we seek to use these conceptions of the good in the moral context. If these ethical notions are to underpin a demand for justice, they must be morally translated into generally and reciprocally justifiable norms.

Through this explication of Forst's defense of an autonomous theory of justice, we see how exactly the concept of justification can work as a critical foundation for a theory of justice that is both culture-neutral and culture-sensitive. It is neutral in the sense that its universal moral scope applies equally to everyone within a community. This omnipotence remains neutral, since it applies without pre-determining the moral validity of different concrete values and identities therein. It simply sets up the formal requirements for evaluating the moral validity of different demands for justice through intersubjective moral discourses. And at the same time, it is sensitive to cultural differences for exactly the same reasons: The requirements of justification – without paternalistically prioritizing one ethical conception of the good over another – leave concrete evaluations of what counts as a justified demand to the intersubjective moral dialogue of the relevant participants. In this sense, once again, a theory of justice based on the concept of justification straddles the divide between universalism and contextualism, allowing concrete determination about justice to be informed by concrete contexts, while at the same time providing the formal universal moral grammar for this procedure.

III Recursion in justification

With Forst's critical theory we get both a substantive account of the nature of justice and an explanation of the normative foundation thereof. And as we will see, both of these two objectives are achieved by the same formal logic contained within the concept of justification. It is this double movement in Forst, where substance and foundation spring from one and the same source, that I will here explore, and claim is best understood through the concept of recursion. In other words, that justification as an immanently derived normative concept with formal properties should be understood as recursive. And further, that it gains its normative potency from its recursive properties. Before getting to the question of foundations, however, I will first clarify how the idea of justification as being both a substantive and a formal concept is to be understood. Finally, I will illustrate justification as a recursive transition network and through this presentation show the recursive nature of justification by employing the three properties of recursion that were previously laid out in Chapter Two.

Justification as both a formal and substantive concept

As we saw above, the concept of justification in Forst establishes a connection between being a practical activity and a rationally reconstructed normative ideal. That is to say, the concept of justification describes both the activity of practical discourse and it also contains the morally relevant criteria of reciprocity and generality with which such discourse should be evaluated. While these normative evaluative standards are reconstructed in a manner similar to ideal theory formation, it is also clear that Forst leaves arbitrations about the validity of concrete discursive practices to the subjects inhabiting the relevant justificatory order. In order to understand how the concept of justification can plausibly span such a divide between practical activity and normative ideal, it is important to stress how justification must be understood both as a formal and substantive concept.

Now, by a formal concept I mean one that is universally valid across contexts as well as neutral wirth regard to values. A classic example of such a concept would be the concept of a logical conditional from logic: "$p \rightarrow q$". This reads as "if p, then q" – meaning that if p is true, then q is also true. This concept construction from the field of logic is formal, because it is neutral with regard to what p and q represent, and because the logical connection $p \rightarrow q$ is universally valid across all contexts (insofar as logic is a universal language). Conversely, by a normatively

substantive concept I mean something close to the opposite of a formal concept. That is, a concept with only contextually meaningful content which is not neutral with regard to values. An example could be the concept 'wage laborer.' This concept, where one is paid for making one's labor available to someone else, could be expressed in substantive terms: If it is true that you work, then it is also true that you get paid. This is clearly not a universally valid concept, since not all societies across all time have operated with a capitalist economy. Further, this is also a value-laden concept insofar as it is imbued with such values as 'labor equals a reward' or 'to each his own,' in the sense of being owed something after having given something, etc. So, while the "if work, then pay" iteration of the concept 'wage laborer' is a substantive concept that only makes sense contextually, the "p → q" iteration of this concept (where it is simply stated that if something is true, then something else is also true) remains formal. One of the most interesting aspects of Forst's concept of justification is that it has both formal and substantive properties at the same time.

As we saw earlier, this distinction between formal and substantive came to light in Forst through his reconstructing of justification in such a way that it contains elements of both moral and political constructivism. Here, as might be recalled, justification is a construction containing the morally substantive criteria that provide the foundation from which evaluations about whether or not a given social order "meet[s] the demand of justice" can be made (Forst, 2012: 6). But at the same time, a political constructivism is also built into justification, since any arrival at a social order that meet the demands of justice must be thought of as "the autonomous achievement of the members themselves" (Forst, 2012: 6). That is to say, justification has both substantive moral content, in the form of the ideally constructed criteria of reciprocity and generality, and the formal property of simply describing the political procedure through which the autonomous members of a society, by engaging in intersubjective discursive practices, determine what counts as justified.

Keeping this in mind, I would claim that Forst's concept of justification is both formal and substantive in the following way: We could formulate the concept of justification as "if it is true that a norm, practice or institution is reciprocally and generally accepted, then it is also true that it is justified." Now, on the one hand, this is clearly a substantive formulation, since it is not neutral with regard to values (what could be more value-laden than the moral demand for reciprocity and generality?). It also seems substantive in the sense that these particular moral values are reconstructed by Forst from a specific historical context – for instance, via the inheritance from Kant and Mead of ideal role-taking – and hence only

makes sense in this context. But, on the other hand, it seems equally clear that the evaluative standard imbued in the concept of justification by the criteria of reciprocity and generality are purely formal or procedural. The statement "if reciprocal and general, then justified" does, after all, not stipulate what kinds of reasons would count as reciprocal and general justifications, since this determination in practice is discursively carried out by subjects. In other words, this statement could be said to be universally valid across contexts, since what is viewed as a good reason could substantially change over time and space without the formulaic "if p, then q" component of justification losing its validity. This is of course only true under the – in my opinion reasonable – assumption that people can universally be said to be reason-giving and -demanding. In this sense, the concept of justification seems to have the binary property of substantive-yet-formal.

In discussing, amongst others, Charles Taylor's and Bernard Williams' respective treatments of the problem of how to properly place the right *vis-á-vis* the good, in several places Forst emphasizes the formal and universal aspects of justification. Here, Forst is responding to Taylor's critique of the idea that there could exist an 'external' and universal practical reason from which substantive basic norms could be extrapolated that would be "valid above the heads of those concerned" (Forst, 2002: 227). To Taylor, such an idea must be abandoned and replaced with the view that only an 'internal' practical reason makes sense. On this view, practical reason can only exist as something internal to an intersubjective context, and insofar as substantive basic norms could be derived from it, they would owe their validity to this internal origin. They would appear valid to people only insofar as they came from these people and not from 'above their heads.' This view is in keeping with Williams' claim that practical deliberation is always a first-person practice, where "the first person is not derivative or naturally replaced by *anyone*" (Williams quoted in Forst, 2002: 227). In other words, when we deliberate morally about something, we will always be doing so as *us*. In moral practical discourse, we cannot suddenly defer to some external third-person moral voice. In the language of the right versus the good, we could say that Taylor and Williams here defend the priority of the good over the right. Practical reasoning about moral questions will be informed by a contextual ethical conception of the good that is internal to the people who are engaged in such moral discourse. If a consensus about moral rights or basic norms emerges from practical discourse, their validity would necessarily hinge on the context of the ethical conceptions of the good held by the people engaged in the discourse.

In responding to this internalist first-person view of practical reason, Forst is of course more than willing to grant that practical reason is an intersubjective practice. But, importantly, Forst argues that we are able to grant such intersubjectivity to practical reason "without however reducing the moral viewpoint of generality and impartiality to the ethical perspective of the first person" (Forst, 2002: 227). In other words, according to Forst, practical reason is *both* a phenomenon that occurs in intersubjective practical discourse between people *and* a concept capable of generating the moral viewpoints of generality and impartiality. These viewpoints are moral, not ethical, since their critical normative content can be validated independently from the first-person ethical conceptions of the people who are engaging in practical discourse.

Now, it is possible for Forst to both retain the intersubjective nature of practical reason while also insisting on the moral rather than ethical validity of reciprocity and generality only because of the double nature of justification as both a formal procedure and a substantive normative concept. When people engage in the practical moral discourse of justification it is indeed them and not anyone else who carries out the practice of giving and receiving reasons. As such, these reasons flow from a certain context of ethical conceptions held by the participating people. But, for the reasons described above, a (good) reason only counts as such if it meets the normatively substantive criteria of reciprocity and generality. Therefore, the criteria of reciprocity and generality retain their status as moral, rather than ethical, since they frame the kinds of reasons that are accepted as good reasons – independently of different contexts with differing ethical conceptions. As Forst says, "moral reasons are justified *internally* in a reciprocal and general manner" (Forst, 2002: 227). While the process of reason-giving and -taking takes place internally, the validity of the normative criteria for evaluating whether these reasons are good reasons still floats above the heads of people, so to speak.

For anyone concerned that such free-floating normative criteria threatens to violate the respect we must have for the integrity of different ethical conceptions and identities, it is important to remember that moral questions pertain to matters that affect everyone in a society. Therefore, the moral status of justification and its external criteria of validity do not intrude upon "ethical questions that persons must answer against the background of their identity-determining values" (Forst, 2002: 228). This differentiation in Forst's operationalization of morality and ethics is clear from Forst's understanding of what is at stake when we ignore (good) moral and ethical questions: "if a person ignores ethically good reasons, he or she pays the price of a deficient self-understanding; if a person ignores moral reasons, the price is disrespect of others" (Forst, 2002: 227). The reason for this

difference is that, while both moral and ethical reasoning take place communally between people, they do so in a different way in terms of how appeals to 'final authority' are made. In ethical matters, final authority will always ultimately rest with the individual person and their identity-determining values, since they are the ones who have to live out or abandon this ethics. The price paid for ignoring a *good* ethical reason is thus borne by the individual, since it is him or her who gives up the chance to live a more virtuous life. Conversely, in moral matters the final authority is "located 'between' persons – without the community being limited, in principle" (Forst, 2002: 227). Since what is at stake with moral matters affects everyone in a society, the price for ignoring a *good* moral reason will be borne by someone else, because whatever action follows from this ignorance will not be reciprocally and generally acceptable. In other words, people are themselves the final arbiters in matters that concern their standing as ethical people against the backdrop of their own ethical conceptions. The external or free-floating normative content of moral justification does not intrude here.

In this discussion of practical moral reason, we see how Forst's concept of justification can work as both the foundation for a critical theory of justice and as the substantive normative content thereof. Or, to put it differently, how Forst's idea of practical reason – and by extension justification – is both context-immanent and context-transcendent (Forst, 2002: 227). With the concept of justification, moral reasons are hashed out and either accepted or challenged context-immanently, with the concrete reasons used being informed by the ethical conception and vocabulary available to the people engaged in such practical discourse. But at the same time, the only valid criteria for determining the quality of such reasons – reciprocity and generality – must be seen as invariant points of reference, that is to say, as context-transcending criteria. Again, the *specific* iteration of reasons we use to justify some morally relevant (all affecting) solution is never predetermined or transcendent, but rather context dependent. It is only what *kind* of reasons that counts as good reasons that is determined in advance and therefore context-transcending. It is this double status of justification as a concurrently context-immanent and context-transcendent concept that allows it to be both foundational and normatively substantive. It is foundational, meaning it is the basis upon which subsequent normative assertions can be made, because of its context-transcending claims about which kinds of reasons are normatively valid.

The question of how justification can work as both a formal foundation for critique while also being imbued with substantive normative content can be further explicated by returning to the question of the right versus the good. As we

saw earlier, Forst invokes the priority of the right over the good, since whatever iterations of the good we might put forward (in whatever ethical context) can only be morally justified through the criteria of reciprocity and generality:

> Morality is connected not to a (substantively) determined conception of the good but to the general possibility of an autonomous life within moral limits: the morally relevant good is a general and formal good. But this […] does not entail a conceptual priority of the good since this concept of the good is already morally defined in its formality and generality: the good of the free personal existence is determined through the criteria of reciprocity and generality as a 'moral good' whose respect and recognition cannot be denied by or to any person with good reasons. The formal, general, and 'nonrelative' determination of this good presupposes conceptually the criteria of the 'right', not the other way around. The conceptual and normative priority of morality are inseparable: the good – be it 'thick' or 'thin' – comes into play only as that which is generally and reciprocally justified serving as the basis for moral claims. Hence the right to this good cannot be limited to a certain community and has the normative priority over competing conceptions of the good. (Forst, 2002: 228–9)

Here, the idea of morality as a formal concept cannot be said to be derived from some context with a specific ethical notion of the good – be it thick or thin. This is the case because the formal properties of generality and reciprocity necessarily – conceptually and normatively – come before any discursive practice of validation. That is to say, the criteria of reciprocity and generality (the content of morality) cannot be tied to some ethical context or specific conception of the good, since they must be presupposed as antecedent criteria that could be used to discursively validate any such ethical context. Here, competing conceptions of the good, as Forst explains, must be understood to be competing on the backdrop of the moral right to have such conceptions justified in a general and reciprocal manner. It is this right that remains, as we saw, valid 'above the heads' of people and communities with competing conceptions of the good. As such, it remains a formal concept – but one with substantive normative force, as its normative criteria of reciprocity and generality provide the right to justification between people, within communities and with the ethical language of that community.

Justification as normative foundation

With the above explanation of how justification is to be understood as both a formal and substantive concept, we now have a better understanding of how justification can be thought of as a normative foundation. It is the formal

character of justification as a moral right that flows above the head of any particular conception of the good that makes this work. I will illustrate this formal foundation with the recursive transition network model, showing the workings of justification as a process that normatively and conceptually antecedes particular instances of ethical communities with particular orders of justification. Here, recursion helps to explain how it is that such a moral concept can possibly antecede competing conceptions of the good without passing judgement on them in advance – or as Williams put it, without replacing the autonomy of the first-person practice of practical deliberation with some external view from nowhere.

As Forst himself points out, the property of recursion is an integral part of how reason itself – and with it the practical reason involved with discursively validating something as justified – can be thought of as unconditional (Forst, 2002: 229). That is, as something external or antecedent to particular competing ethical conceptions of the good. I will even go further and argue that recursion is the fundamental property that makes this work. In any case, it is Forst's argument that there is something inherent to morality which requires it to be explained to or clarified for the people to whom it is supposed to apply. No matter what specific iteration of morality we are talking about, it contains some self-referencing element where its ultimate justification is baked into itself. As Forst explains:

> However morality is explicated – for instance, via particular concepts of the individual or social good – it imposes certain universalizing and formalizing criteria upon this explication: the criteria of reciprocity and generality, which are prescribed for all moral validity of norms and for their 'reasonable' justification 'between' persons. In the absence of 'ultimate' reasons, the very point of morality 'without a bannister' is found in this self-critical, recursive 'unconditionality' of reason. (Forst, 2002: 229)

In other words, if we accept – as I suspect most people would – that there is probably no ultimate good reason that once and for all settles the question of what it substantively is to be a moral person or society, then what we are left with as an ultimate foundation for morality is the need to have morality explained to or clarified for those to whom it is supposed to apply. In this sense, the ultimate ground of morality is its self-reference – or recursion – which self-critically points inwards and always leaves open the right of people to have norms justified to them. The formal and universal aspect of morality is in this sense equal to the 'unconditionality of reason', which again is tied to *its* recursive properties: reason always implying that more reasons can be demanded and given.

Here, we see why justification is not only both a formal and substantive critical concept, but also the normative foundation in Forst. Not only does it work as a formal concept 'above the heads of competing conceptions of the good,' while also containing the normatively substantive criteria of reciprocity and generality, but the idea of justification also implies the 'unconditionality of reason.' This means that the recursive nature of reason, where it always implies that more reasons can be demanded and given, is built into justification – both as a critical concept and as a discursive practice. Even justification itself – if it is to have any normative validity – must be justified to us. And if we accept this to be true, we automatically affirm the recursive nature of justification. It is in this sense that justification can ultimately be a normative foundation. We simply cannot dig any deeper in order to find any more fundamental normative bedrock. In the end, the idea that our norms, practices and institutions must be justified to us is as far as we can get without venturing into metaphysics. And central to this notion of justification as a normative foundation is the recursive property, i.e., that justification refers to and calls upon itself even when justification must be justified. The latter is a postulate that cannot be justified without reference to justification, and so a recursive loop emerges.

This notion of recursion in Forst – and how it implies the normative foundation of justification – can be traced back to his reading of O'Neill, Habermas, and Apel. O'Neill's interpretation of Kantian moral autonomy and its grounding in reason seems to be of particular importance here. Therefore, Forst's interpretation of how this works in O'Neill will be of help in further explaining how a recursive grounding should be understood:

> O'Neill explicates the Kantian idea of moral autonomy in a communicative-intersubjective manner and sees it grounded in a non-realist and non-relativist conception of *recursive* and *discursive* reason (1989, 21): a reason that is without definitive substantive answers to moral questions, but with definitive determinations of what it means to search for a normative answer to a moral question, namely, in a discourse of free and equal persons. The central idea, which O'Neill shares with discourse ethics, is located in the Kantian principle that *reason* must generate its standards and principles from within itself and that the claim of the principles of reason to be universally valid can be redeemed only in the public exchange of arguments. (Forst, 2002: 189)

In this story, reason generates its own standards and principles from within itself, recursively. But that does not mean that O'Neill finds any substantive determinations of what it means to be moral. Instead, by tying morality to a

recursive and discursive reason where moral content must be redeemed in practical moral discourse between people, morality self-referentially points to itself. While it does not deliver final answers to the content of morality, it does however describe what it means for something to be moral in the first place – namely that it is intersubjectively redeemed as such in public practical discourse between free and equal people. Hence, reason is here recursive, since its standards and principles are derived from within itself, in the application of reason on reason. Reason implies public exchange of reasons between free and equal persons – and the universality of reason itself must also be redeemed by people in the exchange of reasons. This kind of recursive reason, one that both generates its own standards and validates them, is both non-realist and non-relativist in much the same sense that Forst's justification is both formal and substantive. While it is formal in the sense of being external or antecedent to concrete reasons given in public discourse, merely pointing out that reason implies such practical discourse between free and equal people, it is also normatively substantive, in that only such a free and equal discourse counts as an instance of reason. Put differently, there is a bit of realism in the definition of freedom and equality as normatively substantive criteria of reason. But there is also a bit of relativism in the formality of these criteria, as they do not concretely explicate the content of good reasons in the public exchange of arguments.

We find a similar underscoring of the formal properties of justification in Forst in his discussion of Habermas and Apel, in whom Forst also finds the common Kantian denominator of a practical reason that has to be reciprocally and generally justified at the center of their moral theories:

> What they have in common is that they make the validity claims of moral norms dependent upon their intersubjective justification in a procedure of mutual argumentation – without using the model of an original position or relying upon a 'comprehensive' ethical or meta-physical doctrine. (Forst, 2002: 189)

In other words, here again, in his reading of the discourse-theoretical works of Habermas and Apel, Forst places the requirement of discursive validation of moral norms squarely within the communities to which they are meant to apply. Much in the same way as in O'Neill reason is discursive and recursive in that it relies on public exchange of arguments, so too Habermas and Apel place the final court of appeals about the validity of moral norms within those communities. In Habermas, discourse ethics provides the normative criteria for such deliberations. As we saw, Forst himself relies on this idea of delegating, so to speak, the final responsibility of justifying some norm to the members of the context to which it

is meant to apply. In Forst's interpretation of the discourse-theoretic model of Habermas and Apel, his analysis once again maintains a focus on both the "pragmatic presuppositions that exists for the justification of *practical* norms" and the fact that the practical activity of justification takes place in different contexts:[26]

> It is solely a matter of reconstructing the logic of justifying normatively binding validity claims – conditions under which norms or values can be acknowledged as justified in contexts of justification. This interpretation of the discourse-theoretic model has as its goal a 'recursive,' formal-pragmatic analysis of the conditions of justifying values or norms in the respective justification communities in which these reasons are said to be valid. It moves inquiringly from normative validity claims back to validity reasons and validity justifications. Practical, grounded validity must be seen as 'situated' in contexts of justification. (Forst, 2002: 193)

In this interpretation of the discourse-theoretic model we see how justification operates as a foundation that is recursively grounded: Once again the focus is on the "conditions" or 'formal-pragmatic presuppositions' that allow for the practical activity of justification to take place within different contexts. And here those conditions are understood recursively. The conditions for justification as such are also the conditions for "situated" contexts of justification – and vice versa.

As a final note on this idea of justification as a normative foundation – that is, as a single recursive source from which all subsequent concrete instances of practical justification in contexts can stem – it is worth noting that Forst does not consider such an idea unduly abstract or detached from what it practically means to be human. Indeed, Forst considers our reflexive knowledge of the way in which we endlessly need to have our social order(s) justified to us – and thus our reflexive knowledge of not having access to ultimate grounds – the most human thing of all:

> the 'unconditionality' of this responsibility [to reciprocally and generally justify one's actions in moral contexts in relation to all others affected] in no way owes itself to an abstraction or detachment from what one could call the 'human perspective'. It is rather the case that an awareness of this perspective – of humans as capable and in need of justification and in this sense groundless or 'undetermined' beings – leads persons to understand and embrace the responsibility for finding a common 'ground' for their action on which they can stand and stand their ground: not an 'ultimate' ground, but still a stable ground

[26] Here, Forst distinguishes between the ethical/constitutive community context, the legal/political community context and the moral/community of moral persons context (Forst, 2002: 193).

> precisely because of its openness to a critique in which 'nothing [is] so holy' as the 'agreement' or 'veto' of each. In striving for such a ground, practical reason can be distinguished as a human capacity, perhaps the most human capacity of all. (Forst, 2012: 42)

Justification as a recursive transition network

Now, finally, we can turn to the illustration of justification as a recursive transition network, previously introduced in Chapter Two (see Figure 14). When 'translating' the concept of justification into such a schematic feedback flow, emphasis will of course be on understanding this concept as a process. That is to say, both the processual nature of the practical activity of people publicly exchanging reasons, but also as the processual character implied in the concept of justification as such. But while the recursive transition network idea highlights this trait, it is not meant to obfuscate the substantive normative content of justification. It is important to stress, lest we forget, that this is still a recursive transition network for a normative concept with the substantive evaluative criteria of reciprocity and generality. The processual emphasis in such a diagram should not be mistaken for an implication that the recursive transition network only represents the idea of a value-neutral procedure. Justification is still – as discussed in the beginning of this chapter – both a procedural and a substantive concept. Thus, while there might be a danger of procedural over-emphasis, the benefit of the recursive transition network representation is that it allows us to get a clear grasp of where exactly recursion enters the picture and how it works.

As the reader will recall, a recursive transition network represents a series of steps in a procedure. Each step is represented by a node or box, which spells out an operation to be performed before moving on. The procedure begins with the leftmost node *Begin* and ends with the node *End*, furthest to the right. Each node is connected to other nodes by arrows which decide the available routes through the process. Figure 14, then, shows the procedure by which all reasons provided for norms, practices and institutions must be discursively redeemed in public exchange before such norms, practices and institutions can be considered as justified.

Concretely, the figure begins when a justice-related claim or demand is made. In the next step, the node *Reason* represents the circumstance that whoever makes such a claim or demand must be able to present a reason for their claim or demand, and so the operation here is to come up with such a reason. From this node, two possible routes present themselves. First, if we move to the node

Discursive Validation of Reciprocity and Generality, the operation performed is that the reason is redeemed as a good reason through practical discourse in the community to whom the justice claim or demand is meant to apply. Here, the reason is validated because it is shown, in a mutually acceptable way, that the criteria of reciprocity and generality are met. This means that the demand or justice-related claim does not only apply to one person or group and is denied to others in similar circumstances (reciprocity of content) and that the reason given does not rely on non-shared values (reciprocity of reasons). This also means that the norm underlying the claim or demand is generally valid, that is, able to be shared by all those affected by it (criterion of generality). While these criteria of generality and reciprocity remain formal and thus represent a normative standpoint external to or 'above the heads' of those involved in the discursive validation process, the actual performance of this operation still requires 'translation' into the vocabulary of the relevant context. In this way, the operation of discursively redeeming the justice-related claim still remains situated within the community, whose members must be persuaded by reasons that match their ethical conception of the good. Once this has happened, the process moves on to the node *Justification*, which simply means that the reasons given for the justice-related claim or demand is sufficiently validated and that the claim or demand is therefore justified. Here, with this route through the network, the procedure finally ends.

But there is another path available to us from the node *Reason*, one that contains the recursive part of this recursive transition network. Here, we move down to the node *Challenge of the Reciprocity and Generality of the Reason*. The operation performed here is a challenge to the reciprocity and/or generality of the reason presented in support of the justice-related claim or demand. This is where the veto right of each person affected by the norm, practice or institution that would be the outcome of the justice-related claim or demand comes into play. If these cannot be adequately justified reciprocally and generally to people through practical discourse, the reason underpinning them can be reasonably rejected. This could be because the presented reason fails to extend the justice-related claim to others in the same circumstances (reciprocity of content) or because it relies on non-shared values (reciprocity of reasons). It could also be because the practical discourse of this operation reveals that the norm established by the justice-related claim or demand would not be sharable by all people affected by it (criterion of generality).

The process now becomes recursive, since contained in the node *Challenge* is an exact copy of the entire network. Here, when the reason given is rejected, a new

round of reason-giving and practical discourse must take place. In this round too, of course, practical discourse can either redeem or challenge and reject the presented reasons. In Figure 14, the new round of the procedure is represented by the dotted blue line around the node *Challenge*. Here, we note where we are in the process and move down a level in order to resume the operation from there. Only when (if) reasons that can be reciprocally and generally redeemed in practical discourse are finally presented does the procedure bottom out, meaning that we move back up through the layers of the procedure. In this case, justification has taken place. But if practical discourse never results in a reciprocally and generally redeemed reason, the procedure either continues endlessly, or realistically ends with rejection, when the parties involved give up hope of discursive validation. If the procedure after however many rounds ends in justification, the redeemed reason enters into the reservoir of what is considered (good) justificatory reasons and will from thereafter be available for future rounds of reason-giving related to new justice claims and demands.

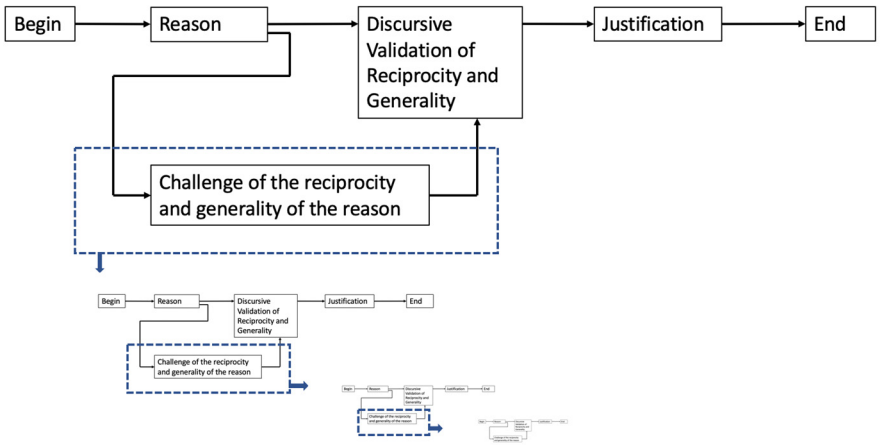

Figure 14. Recursive transition network for Forst's concept of justification.

With this illustration of justification as a recursive transition network in mind, we can finally use the three properties of recursion as an analytical frame to extrapolate the locations of recursion in justification. With this analysis, I hope to show how recursion is the property that gives justification its normative potency as a fixed-yet-flexible critical concept. In Table 4 below, each of the three properties of recursion is presented in a row and the identification of the corresponding recursive property of justification is presented in the next column.

Table 4. The three properties of normative recursion and the corresponding recursive properties in Forst's concept of justification.

Normative Recursion	**Justification (Forst)**
Self-reference (and self-calling)	Justification as self-referencing procedure Calls for justification of justifications
Self-embedding (and hierarchical order)	Right to receive justification Rounds of discursive validation/challenge always possible
Single source or rule, infinite outputs from finite input (and expansion of information)	Justification as normative foundation (same process repeated) No upper limit to amount of reasons (limit to what counts as good reasons) Expanded reservoir of (good) reasons

We can start with the property of *self-referentiality* and the closely related capacity of *self-calling* in the first row. Here, recursion is located in the capacity of a system to in some manner or another be able to refer to itself, and the capacity to procedurally be able to call on this self-reference in the form of an exact copy, respectively. With the recursive transition network for justification in Figure 14, we see how this kind of recursion is represented therein. First, the recursive node *Challenge* quite clearly represents a self-reference, since the operation of justifying a claim or justice-related demand with good reasons calls for justification. The operation of justification is thus self-referentially present in the overall procedure of justification, and further, each new round of justificatory operations also recursively contains further justificatory operations. And understood as a procedure, at the *Challenge* nodes of the various layers of the procedure we are able to call upon this self-reference and commence its operation. The self-calling property of justification is seen in the fact that we are able to call for justification of justifications. As discussed above, this property can be seen in what Forst calls the self-critical and recursive "unconditionality" of reason. The practical reason of justification never relies on any further grounding, only on its own recursive implication – that it can always self-critically be used on itself. With this we see how justification must be understood as having a recursive grounding or foundation – in lieu of metaphysical ultimate reasons, all that is left to us is the recursive property of reason self-referentially calling upon itself.

We can now move on to the property of *self-embedding* and the related recursive trait of *hierarchical ordering* in the second row. Here, self-embedding refers to the capacity of a system to copy itself and to place these replicas within itself. Following from this, hierarchical ordering refers to the capacity of that same

system to keep track of each of these copies and their placement within the system through hierarchical or layered ordering. This kind of recursion should also be fairly easy to locate in justification with the aid of the recursive transition network. Clearly, the copy of the overall procedure of justification is placed within the procedure via the node *Challenge*. This node represents the right of people to receive justifications as well as their veto right of these justifications. In practical discourse, when people go through rounds of reason-giving and either redeem or reject these reasons via the criteria of reciprocity and generality, a natural hierarchy amongst the rounds occurs. New rounds of reason-giving and discursive validation or rejection are always possible. This simply means that people keep track of the original reason given, its refutation and further attempts at new and better reasons. These rounds represent constituents of the same kind, that is, copies of justifications that are alike but distinguishable by their placement in the hierarchy. If by no other means, they are at least distinguishable by their ordering in time, as one round of justification precedes the next. The recursive property of self-embedding and the subsequent hierarchical ordering of copies are in this way quite naturally part and parcel of what a justification procedure entails.

Next, we can look at the property of *multiple outputs stemming from a single rule or source* in the third row. This recursive property refers to the fact that the output produced (such as the creation of hierarchies amongst self-referencing copies) can always be traced back to a single recursive rule. For justification, when we look at it as a recursive transition network procedure, this output is either justified norms, practices or institutions, or several rounds of ultimately rejected attempts at justification. This property of justification is first seen when Forst traces all human rights back to a single root, namely the right of any person not to live under the constraints of an unjustified or arbitrary social order. Or positively stated, in the single root that all people have the right to have their social order justified to them. It is also seen in the idea of justification as a normative foundation, since this is the single recursive source from which all subsequent concrete instances of practical justification in contexts stem. This recursive property is, in other words, manifested in the formal property of justification. The right to justification remains a universal that – as we have seen – is located 'above the heads' of the people living in different contexts with competing comprehensions of the good. If we imagine two such different contexts closed off to each other, different local vocabularies would be used to discursively redeem different reasons, but they would both abide by the same single root of the right to justification. They would, in addition, both use the same normatively substantive criteria of reciprocity and generality, since these criteria themselves stem from the single source of justification.

With this, we can move on to the closely related recursive trait of *being able to produce infinite outputs from finite inputs*. Recursion of this kind is manifested when there is no pre-determined limit to how many different expressions can result from 'running' the recursive rule or procedure in question. In other words, there is an open-endedness not only to the run-time of some recursive procedure but also to the variety of results it produces. This is perhaps the most important recursive aspect of justification, insofar as is it this recursive trait that makes sure justification is never closed off in advance to new and hitherto unimagined (good) reasons. In other words, the formal character of justification – even with the normatively substantive criteria of reciprocity and generality – never pre-determines in advance what concrete reasons can be redeemed as good reasons. It always leaves this final arbitration to the people in the context to which it applies, thus situating justification within intersubjective communicative communities. This recursive property of open-endedness is exactly what gives justification its normative potency in an era of increasing truth pluralism and perhaps value incommensurability. Justification in this sense does not represent a closed set of non-shared values, but rather the opposite: the recursive property of leaving open the possibility of an infinite number of good reasons (always within the bounds of reciprocity and generality, of course).

Finally, we can locate recursion in justification by looking at the trait of *an expansion of information* which naturally follows from the above. This dimension of recursion represents the fact that more information is always added to the existing system and that the overall complexity hereby increases. With justification, this recursive trait is found in the fact that each successful round of practical discourse adds new information to the existing reservoir of what counts as good reasons. As such, this information can be drawn upon in future attempts at justification.

Conclusion

In this thesis I have presented an analysis of what recursion is and how it works. What is more, I have, through my analysis of Habermas, Honneth and Forst, located this property of recursion within the normative critical concepts of formal pragmatics, recognition, social freedom and justification. First, I have shown how a temporal recursion is integral to the reconstructive methods of Habermas and Honneth as seen in their use of progress and teleological reasoning. Second, I have shown how recursion is integral to the mechanisms of normative critique in formal pragmatics, recognition, social freedom and justification when these are understood as discursive processes. This is shown by analyzing them as recursive transitions networks. Third, I have shown how the normative foundations of these concepts must be understood as examples of recursive grounding, which explains how these critical concepts are able to validate their own standards. I hope this effort both contributes to the scholarship on Habermas, Honneth and Forst – and, because of the virtues of recursion, to critical theory and normative political theorizing in general.

In this concluding chapter I will first offer my thoughts on whether or not we can accept the self-referentiality of normative recursion in political theory or if such an idea is better seen as problematic circular reasoning in fancy disguise. I think this question looms over the entire thesis and needs to be addressed. Here, I offer a perspective of recursion as an example of what Thomas Nagel calls the absurd, and a perspective of recursion as an example of what O'Neill calls a virtuous circle. I conclude that the normative recursion in this thesis does contain circular reasoning – and that it must be transparent about this – when it claims to be able to validate its own standards. But I also conclude that the openness or formality of the standards – as well as their connection to social practices – ultimately makes this circularity acceptable. (**Section I**)

Next, in the bulk of this conclusion, I will show how my analysis of normative recursion relates to the debates on normative political theorizing I presented in Chapter One. Here, I show how my analysis reveals a space for critical theory between contextualism and objectivism, as recursion is shown to be the property

that makes such a counter-intuitive reconciliation possible. Further, I will show how recursive normative concepts share elements from both foundationalist and anti-foundationalist positions on the question of the possibility of normative grounds. Similarly, I will also how my analysis of recursion in formal pragmatics, recognition, social freedom and justification reveals affinities with certain aspects of both utopian and realist stances on the status of normative political principles. Finally, I will show how recursive normative concepts, based on the findings of my analysis, relate to discussions concerning the requirement of normative theories as action-guiding, as sensitive to facts in the theorizing process and as able to present either end-state or transitional critique. Here, again, I show how recursive concepts often occupy moderate stances between the extremes of such debates. (**Section II**)

Lastly, I will present my concluding remarks on the central puzzle of the thesis. Here, I use recursion to answer the central question of how critical normative concepts can be immanently derived from the social facticity of prevailing norms, practices and institutions in a given society – and yet still be able to deliver radical internal critiques that are capable of transcending the normative horizon from which they are derived. I also conclude on the promising contribution of normative recursion to critical theory as a basis for fixed-yet-flexible critical concepts. (**Section III**)

I

I would like to offer the reader two radically different stories about what we should think of endless recursive processes and any meaning, let alone normative standards capable of self-validation, being derived from such processes. In the first story, in which the protagonist is O'Neill and her defense of Kantian reason, such circular self-validating standards are not only unproblematic but are necessary, as the only way a concept like reason can vindicate itself (O'Neill, 1989). In the second story, in which the protagonist is Nagel, awareness of these endless recursive processes of justification and vindication of everything we take serious in our lives gives rise to our sense of the absurd – to which the only tonic is to approach our meaningless lives with irony (Nagel, 1971).

In O'Neill's exploration of Kant's practical philosophy and his construction of reason, we find an account and defense of reason as recursively self-validating. O'Neill uses the metaphor of a debate to explain how the authority of reason could ever be established. In debate between equals free of coercion, the authority

of any principles reached is the product of these principles surviving open-ended questioning of everything, including the standards used to support them: "[D]ebate is open-ended: At any stage previous assumptions can be queried, and at no stage are definitive answers established. *The authority of principles reached in this way is only that they survive open ended questioning, including questioning in terms of the standards they themselves promulgate. The vindication of such principles is recursive rather than foundational*" (O'Neill, 1989: 21, emphasis added). In open-ended debate, with everything on the table as questionable, authority can only be reached by recursive vindication. It is key to understanding how recursive vindication is the only possible road to authority that the metaphor of debate reflects as a social situation with a plurality of voices. This is equivalent to the situation of vindication of reason itself, as reason also unfolds in social settings containing a multitude of people with differing world-views. All we have to go on in the process of vindicating reason is therefore the criterion of not using unshared reasons. As O'Neill explains:

> Critique of reason is possible only if we think of *critique as recursive* and reason as constructed rather than imposed. The constraint on possibilities of construction is imposed by the fact that the principles are to be found for a plurality of possible voices or agents who share a world. Nothing has been established about principles of cognitive order for solitary beings. All that has been established for beings who share a world is that they cannot base this sharing on adopting unsharable principles. Presumably many specific conformations of cognitive and moral order are possible. (O'Neill, 1989: 27)

The criteria of not using unsharable reasons must be understood recursively: The only standard we can find to vindicate reason is internally derived from reason as a social practice. We have no access to authoritative standards beyond this point, since these would be open to reasonable critique. The only thing left is the formal criteria of not using unsharable reasons. And so, the standard for vindicating reason is circularly applied to itself – as recursive vindication. Yet, this circularity is not a problem in O'Neill's account, but rather the only possible way an authoritative vindication could ever be reached. As O'Neill explains, we are either faced with the option of recursive vindication, or with the option of failure to vindicate at all:

> It seems rather that we should also be able to see why the standards we recognize as rational in practical matters are these standards, and not others. Yet how can this demand ever be met? We appear to be faced with a familiar dilemma. *If the standards of practical reasoning are fundamental to all human reasoning, then any*

> *vindication of these standards is either circular (since it uses those very standards) or a failure (since it is not a vindication in terms of the standards said to be fundamental).* (O'Neill, 1989: 29, emphasis added)

In O'Neill's story, recursive circularity in the process of self-validation is not a problem but rather a defendable necessity. All is fine and well. However, we can contrast this acceptance and defense of recursive standards of justification with a second story, one in which it is exactly our insight into such recursive standards that leads to our sense of absurdity in life. This story can be told via Nagel's exploration of the origins of feelings of meaninglessness and absurdity.

For Nagel, the philosophical determination of absurdity is rooted in the universal "collision between the seriousness with which we take our lives and the perpetual possibility of regarding everything about which we are serious as arbitrary, or open to doubt" (Nagel, 1971: 718). Here, the perpetual possibility of everything being open to doubt is not celebrated as it was in O'Neill's metaphorical debate. Instead, the fact that we can always ask for further justifications of everything – including the justification of what constitutes a justification – leads to the overwhelming sense of absurdity when contrasted with the fact that we keep living our lives with seriousness even in light of this insight. As Nagel explains:

> The things we do or want without reasons, and without requiring reasons – the things that define what is a reason for us and what is not – are the starting points of our skepticism. We see ourselves from outside, and all the contingency and specificity of our aims and pursuits become clear. Yet when we take this view and recognize what we do as arbitrary, it does not disengage us from life, and there lies our absurdity: not in the fact that such an external view can be taken of us, but in the fact that we ourselves can take it, without ceasing to be the persons whose ultimate concerns are so coolly regarded. (Nagel, 1971: 720)

The same origins of the sense of absurdity experienced in the individual life, Nagel explains, can also be extended to any grand philosophical narrative with which we might identify. It does not matter what kind of ideal of a just society we might construct – try as we might, such constructions will also be endlessly susceptible to interrogation for justifications that only result in new justifications – the justification of which also can be interrogated: and on and on it goes in an endless chain of justifications. The only time we can get meaning from such grand constructions is when we arbitrarily decide to stop interrogating them:

> [J]ustifications come to an end when we are content to have them end – when we do not find it necessary to look any further. If we can step back from the purposes

> of individual life and doubt their point, we can step back also from the progress of human history, or of science, or the success of a society, or the kingdom, power, and glory of God, and put all these things into question in the same way. What seems to us to confer meaning, justification, significance, does so in virtue of the fact that we need no more reasons after a certain point. (Nagel, 1971: 721)

And so, even with a grand narrative about progress or justice, absurdity once more rears its ugly face when we realize that the meaning we derive from these narratives is the product of nothing more than justificatory fatigue necessitating a respite at an arbitrary place in the chain of justifications. In Nagel's story, clearly, the circularity with which the concept of justification is recursively used on itself is a disturbing fact that disrupts the meaningfulness of our individual lives and the grand narratives to which we subscribe. The only way out of this depressing situation, according to Nagel, is to approach it with humor: "If *sub specie aeternitatis* there is no reason to believe that anything matters, then that doesn't matter either, and we can approach our absurd lives with irony instead of heroism or despair" (Nagel, 1971: 727).

So, here we have two stories about what we should think of endless recursive processes as sources of meaning. One of optimism and vindications, and another of ironic detachment and absurdity. As I have showed throughout the thesis in my analysis of formal pragmatics, recognition, social freedom and justification, the recursive groundings of these normative concepts – and the way in which they validate their own standards – must undeniably be seen as circular. So how should we react to this? Which story should guide our response?

Certainly, one way forward is to, as Allen does in her critique of progress, follow Nagel's motive and adopt a critical stance towards signs of circular validation in Habermas, Honneth and Forst. Here, we could together with Allen view Habermas' reconstruction of formal pragmatics from within the horizon of modernity as suspiciously circular:

> The third alternative, which is the one that I have defended in this chapter, views formal pragmatics and the theory of modernity as providing mutual support for each other. This strategy not only also leads to worries about contextualism, since the methodology of rational reconstruction has to presuppose the superiority of the point of view of modernity and hence Habermas can give no independent justification of that standpoint; *it also raises concerns about circularity*. (Allen, 2016: 78, emphasis added)

And we could similarly adopt Allen's skepticism towards the alternative explanations of how Honneth's normative standards for recognition – inclusion and individuality – either presuppose themselves in a circular manner or, as the product of an internal reconstruction, lose their ability to justify normative superiority qua circularity:

> After all, it could easily be argued that Honneth's philosophical anthropology already presupposes the very normative content – namely, the value of inclusiveness and individualization – for which it is supposed to provide a justification. On the other hand, if these criteria are themselves contextually and historically rooted and emerge out of an internal reconstruction of the background convictions of members of modern social orders, then the attempt to use these criteria to justify the normative superiority of modernity seems circular. (Allen, 2016: 118, emphasis added).

And finally, we could, with this chosen path, follow Allen in calling attention to how Forst's use of recursion is employed to make justification a free-standing principle in a way that makes it susceptible to critiques of being "overly abstract" and too far removed from concrete contexts (Allen, 2016: 132):

> A common criticism of constructivism is that it must either bottom out in some foundation that is not itself constructed but instead forms a realist ground or end up being circular. Forst explicitly denies that his constructivism ultimately rests on a moral realist ground; this is the basis for his repeated insistence that there is no 'ultimate' foundation for morality. *Rather, he adopts the strategy of admitting to a kind of circularity in the way in which the construction procedure itself is grounded, while insisting that this circularity is virtuous and reflexive rather than vicious and question begging – hence, he calls it 'recursive' rather than 'circular.'* (Allen, 2016: 131, emphasis added)

It is my contention that we should instead allow the more optimistic narrative in O'Neill to inform our stance on how we should think about endless recursive processes as the foundation of normative standards of critique. With my analysis of formal pragmatics, recognition, social freedom and justification, I think we are more comfortably able to take this optimistic stance, because these concepts have been shown to be less free-standing than the case of reason in Kant (though admittedly Forst stands out by working with an assumption of human beings as justificatory beings – but even this assumption is, I believe, falsifiable). The recursive self-validation in Habermas, Honneth and Forst is done with circular standards derived from reconstructions of tangible social practices. And the interpretation of these standards is, due of their formality, as shown in my analysis,

always revisable. This openness to the content of the standards ensures, I would argue, that they are neither conventionalist or status quo maintaining. This makes the recursive self-validation of formal pragmatics, recognition, social freedom and justification appear as more than just an expression of the values at an arbitrary time and place in history.

So, I would argue that with recursive grounding we are working with normative standards that are not totally without support in fundamental social practices. This should instill some calm in us instead of the meaninglessness and sense of absurdity that Nagel draws from his dreaded endless chain of justifications. In the picture of normative recursion that I have presented in this thesis, the social practices of discursive validation and intersubjective recognition bottom out in a foundationless foundation – in recursion. If we recognize and accept the falsifiable assumptions about the social practices of discursive validation in communicative action, of intersubjective recognition and social freedom and of reason-giving and -demanding in justification as foundational to our lives, then I believe we can also accept this recursive grounding. Where else, I would ask, should our normative standards come from, if not from reconstructions of the normative potentials of fundamental practices in the present? The only alternative to this seems to be an ironic acceptance of absurdity that, to put it mildly, seems antithetical to a normative political theory that aspires to be non-arbitrary and universally applicable.

II Recursive grounding between contextualism and objectivism

In Chapter One, Cooke's outline of a social philosophy between contextualism and objectivism was presented as a path forward for a normative theory. On this picture, it is the fundamental self-understanding of social philosophy under the modern condition of democratized and secularized authority that no normative standards can stand independently of history and cultural context, and that all claims within science, law, politics, morality and art are therefore challengeable. It is also part of this self-understanding that subjectivity lacks essence and is shaped by material and social forces, and that every subject is, as a principle, deserving of equal respect as agents with a capacity for morality. Crucially, all these are self-understandings that social philosophy is reflexively aware of.

As we saw, this reflexive insight poses a formidable challenge to the project of reconstructing non-arbitrary and universally applicable, i.e., objective, normative theory. I agree with Cooke when she asserts that such objectivism is needed in order for normative theory to 1) be able to ward off normative relativism, 2) be able to evaluate new normative developments (rather than merely conducting context-immanent analysis), 3) be able to place certain historical achievements as progressive *vis-à-vis* earlier conceptions and 4) be able to engage with competing conceptions in transformative dialogue with a real possibility of learning (the motivation for which would be lost with a relativistic world-view). The question here is how an objectivist theory can defend its normative foundations under the constraint of knowing that in principle it cannot appeal to independent standards outside of history and cultural context.

Recursive normative foundations in Habermas, Honneth and Forst

In the analysis of Habermas, Honneth and Forst in Chapters Three through Five, we saw that all these theories grapple with this question of how to ground a non-arbitrary and universally applicable normative theory that is reflexively aware of having no recourse to standards outside of history and cultural context. In my analysis of formal pragmatics, recognition, social freedom and justification I located a shared use of recursive grounding that I propose as an answer to the above question. They key here is that Habermas' rational reconstructive method, Honneth's normative reconstructive method and Forst's recursive reconstructive method on my analysis all locate, in certain social behaviors, some formal aspects from which normative standards can be drawn. It is these formal properties that operate as objective frames of reference for critique. Here, it is their formality that allows for a constant reinterpretation of their substantive normative content within different contexts in a way that thereby respects our awareness of a lack of access to standards independent of history and culture.

In Habermas, formal pragmatics is extrapolated from an in principle scientifically falsifiable account of communicative action, namely that there is an ever-present possibility of understanding in all instances of human communication (Baynes et al., 1987: 11). This is understood as an innate and universal capacity in human beings. As Held explains, a grounding of normative theory in this capacity and in the very structure of social action and language itself makes it non-arbitrary (Held, 1980: 345). But what makes this grounding recursive is its ability to be applied to itself in order to validate its own standards. Here, the idea in formal pragmatics that all communication comes with three claims to validity that must be

discursively redeemed also applies to the claim of formal pragmatics as a foundation for normative critique. The contention that communication works in the way proposed by Habermas does indeed implicitly come with validity claims about the truth, rightness and truthfulness of this assertion – and these validity claims must themselves be discursively validated. Here, recursion is clearly at play: The formal standards in formal pragmatics apply to themselves. It is this use of formality in Habermas that respects the constraint of reflexively being aware of not having access to standards outside of history and culture, since determining what specifically counts as redeemed truth, appropriateness and sincerity is left to practical discourses within contexts. The foundationalism of formal pragmatics is in that sense a single recursive rule about discursive validation from which an infinite number of expressions can emerge – and is thereby both an objective and contextual foundation.

In Honneth, both recognition and social freedom are extrapolated from an anthropological assumption about human subjectivity as intersubjectively constituted. This is again an in principle falsifiable account of an innate anthropological need for recognition and of individual autonomy as intersubjectively dependent on the autonomy of others. As assumed constants about human subjectivity, they work as non-arbitrary foundations in Honneth. These are, on my analysis, recursive foundations, since they validate their own standards. Here, recognition and social freedom are not as readily identifiable as recursive in the same way as we saw in Habermas, where the rules for understanding directly applies to our understanding of that rule (or in Forst where justification itself must be justified). The recursive grounding in Honneth is slightly more subtle. It enters the picture when a concrete instance of a complete relation-to-self attained through recognition and a concrete instance of autonomy achieved through social freedom are only possible qua recognition and freedom *as such*. That is to say, there is something that it means to recognize and that meaning can only be decerned through recognition. And similarly, there is something that it means to be free and such freedom can only be understood in a condition of freedom. The dialectic between alter and ego's recognition and freedom depending on each other is, I argue, recursive in nature. The normative standards that are derivable from this dialectic are recursive because they are inherent to the phenomena of recognition and social freedom themselves. They are not external. This makes the way in which they apply to relations of recognition and institutionalized social freedom recursively self-validating.

In my analysis, the normative standards of recognition, individuality and inclusion consequently display recursion in their formality.[27] It is this formal aspect of inclusion and individuality that ensures that, as normative standards, they can be applied to different and evolving contexts. They are, in this sense, a single recursive rule from which an infinite number of expressions can follow. It is always a matter of practical discourse in concrete contexts to determine which identities count as worthy of recognition (which identities can be said to increase individuality and inclusion). These criteria do not pre-determine the outcome. The criteria thereby display a normative validity surplus that can be understood recursively. It is through this recursive surplus that the critical theory of recognition respects the constraint of reflexively being aware that it does not have access to standards outside of history and culture: Concrete struggles for recognition and their adjudication are left to practical discourse in concrete contexts.

In Forst, the concept of justification is derived from the assumption that all human beings are justificatory beings. That is, beings to whom reason-giving and -demanding is a manifest part of their nature. Similar to the starting points of Habermas and Honneth, I take this assumption to be in principle empirically falsifiable, though I have a hard time imagining how anyone could argue against this assumption. Reasonable disagreement can be had about the premium Forst places on this assumption as a ground for normative theory, but that we are a species driven by a giving and taking of reasons is, I think, undeniable. As such, this assumption can stand as a non-arbitrary grounding in Forst. What makes this grounding recursive – and in Forst explicitly so – is the direct way in which justification can be applied to justification itself. This is seen both in the fact that it is always possible to ask for further justifications and in the fact that the concept of justification as a normative foundation itself must be justified. In the latter case justification is self-validating in a way that can only be understood as recursive.

That justification can recursively justify itself as a normative foundation is, on my analysis, a function of the formal character of the concept. This formality expresses itself when Forst presents one overall recursive context of justification under

[27] In my analysis of Honneth I mainly used the concept of social freedom in relation to the teleological aspect of the method of normative reconstruction. I did not dwell on the standards of justice that Honneth derives from social freedom in *Freedom's Right*. But these standards emerge from the identification of institutional misdevelopments or pathologies in the path towards a full realization of the hypothetically anticipated ideal of social freedom. They can therefore be regarded as recursive much in the same way as the standards for recognition (see Figure 12 in Chapter Four).

which sub-contexts of other justifications reside. In these sub-contexts, ethical claims must be discursively justified within ethical communities with a shared conception of the good, legal claims must justified within political communities and moral claims must be justified to moral persons. In the words of Allen, this must be understood as a "nested hierarchy of normative contexts" (Allen, 2016: 135). The procedure of justification is clearly present in all these contexts, but justification as such – that is, as a foundation – with its normative standards of reciprocity and generality hierarchically stand one level higher. Such a nested hierarchy of self-referencing procedures fits the model of recursion in this thesis to a tee. What makes this nesting work is the formal character of the standards of reciprocity and generality. These standards' normative content always require interpretation within contexts, such that what counts as good reasons will always be the product of concrete discursive practices in concrete contexts. The standards of reciprocity and generality can therefore be maintained as non-arbitrary and universally applicable, i.e., objective, even under the conditions of reflexive awareness of us having no recourse to independent standards outside of history and culture. Again, this is because the final interpretation of the substantive content of a justified order is always left to actual people in actual contexts using their particular moral vocabulary.

Recursive grounding bridging the gap between contextualism and objectivism

With this analysis of the way in which formal pragmatics, recognition, social freedom and justification work as recursive groundings of the normative theories of Habermas, Honneth and Forst, we can see how the argument can be made that recursion bridges the gap between contextualism and objectivism. As we will recall from Chapter One, Cooke describes the promise of establishing such a reconciliatory approach to normative theory – and here I am in full agreement – as being able to deliver critique that is both context-immanently justified (thereby respecting the value-pluralism of society) and objectively justified as non-arbitrary and universal (thereby still being a robust critique). On Cooke's view, the requirements of such a normative theory are that it 1) employs an anti-foundationalist strategy in the specific sense that it operates with a fallibilistic view of its own justified normative assertions;[28] 2) that it acknowledges a multiplicity

[28] Note here that Cooke uses the term 'anti-foundationalism' to refer to fallibilism of normative assertions. Anti-foundationalism in this sense does not preclude the possibility of reaching objective or unconditioned normative standards.

of diverging and sometimes incommensurable moral perspectives while also respecting the equal moral worth of all persons; 3) that it is aware of and sensitive to the contingency of competing conceptions of the good, as these must be understood as shaped and reshaped by changing material, social and phycological circumstances; and 4) that its normative foundation is tied to an idea of social learning.

I believe the recursive grounding that I locate in Habermas, Honneth and Forst allows their theories to meet these requirements. Regarding the first, the justified normative assertions that spring from formal pragmatics, recognition, social freedom and justification are all fallibilistic in the very concrete way that they are all provisional and subject to challenge and restatement in discursive practices. Communication aimed at mutual understanding in Habermas carries with it claims to validity that can continuously be challenged and, insofar as they are, must continuously be discursively redeemed anew. The normative validity surplus in relations of recognition similarly ensures that these never reach a stable state at some given time and place in history. New struggles for recognition that expand these relations are always possible with reference to previously recognized identities. And in Forst, a social order is only provisionally justified, as the right to justification ensures endless access to having them justified anew.

Regarding the second requirement, it is clear that these theories operate with an initial assumption of the equal moral worth of all persons. That is, in Honneth as persons worthy of recognition and social freedom, in Forst as persons worthy of justification and in Habermas as communicatively competent people capable of moral dialogue. At the same time, the device of allowing practical discourse to settle normative questions and conflicts must be understood as an acknowledgement of the presence of diverging and sometimes incommensurable moral perspectives in society (otherwise there would be nothing to deliberate about). The formal character that I identify in my analysis of these normative standards makes them, in my opinion, suitably open to this situation.

With regard to the third requirement, the recursive grounding reached with formal pragmatics, recognition, social freedom and justification makes these concepts explicitly sensitive to the contingency of competing conceptions of the good. Here, again, the formal character of the standards for normative evaluation identified in my analysis allows for the possibility that conceptions of the good change with developments in the material, social and phycological circumstances that inform them. Such developments will translate into new requirements for what counts as discursive validation in Habermas (new conceptions of rightness), as new requirements for what counts as worthy of recognition in Honneth

(expanded relations of recognition) and as new requirements for what counts as (good) reasons in Forst.

Finally, with regard to the fourth requirement of tying normative foundations to a concept of social learning, a split emerges between, on the one hand, Habermas and Honneth, and Forst on the other. In my analysis of teleological reasoning in Habermas and Honneth, I show a congruence between their reconstructive methods and this requirement. With regard to Forst, however, the picture looks somewhat different. Though Forst does operate with a notion of progress, I have deliberately not explored it in this thesis, since it does not display the same recursive interplay between past, present and future as is the case in Habermas and Honneth. In Forst, progress is quite straightforwardly equated with overcoming injustices. Defined in this way, this means that even critiques of progress must make use of their own notions of progress. As Allen explains, "on Forst's view, the dialectic of progress arises because every critique of progress necessarily relies on the concept of progress to formulate its critique. Hence one cannot be against progress without also being for it" (Allen, 2016: 161). On this picture, progress springs to life from experiences of oppression and domination and the demands that these experiences must be rectified in a way that can only be understood as progressive (as an improvement) (Forst, 2017b). Here, if we criticize a specific moral-political narrative of progress on the grounds that it reproduces illegitimate power structures, for instance, we can only do so with reference to what an improved situation would look like. Thus, our critique of progress depends on an evocation of progress (Allen, 2016: 125–6). I do not think this dialectic of progress qualifies as an account of social learning, and so in this regard Forst does not meet Cooke's forth requirement.

With Habermas and Honneth, however, we find a different picture altogether. As I showed in the standalone introduction to Chapters Three and Four and also in the analysis in these chapters, both Habermas' rational reconstructive method and Honneth's normative reconstructive method can be tied to a notion of progress in a way that is recursive. The common denominator here being that their regulative ideals are reconstructed by first investigating a social practice with normative content in the present and tying it to the past as the outcome of historical normative achievements. Then, the normative content of the practice is idealized and cast onto the future as a hypothetically anticipated situation of its full realization. Finally, this ideal is brought back to bear on the present as a telos for progress. This telos serves as a regulative normative ideal by which the state of present practices can be evaluated. In this reconstructive model we see a temporal

recursive relation between past, present and future, where the normative content of each timeframe is understood in relation to the others.

In this way, the normative foundations in Habermas and Honneth display a recursive property in that the notion of progress itself must be understood as the outcome of a historical learning process. When progress is defined as historical approximations of a reconstructed ideal, then this reconstruction must *itself* constitute an achievement or learning outcome. With the reconstructed method, in other words, we are reflexively aware of the situatedness of the reconstructed ideal of progress in history. That is, as made possible by or building on a more general human antecedent learning process. Here, the discoveries of transcendent normative content in formal pragmatics (the invariance of the three claims to validity) and in recognition and social freedom (their formal intersubjective conditions) constitute achievements.

Recursive grounding and foundationalism versus anti-foundationalism

With this analysis of how the recursive grounding in Habermas, Honneth and Forst maps onto Cooke's proposed model for a normative theory between contextualism and objectivism, we can turn to the distinction between foundationalism versus anti-foundationalism. This divide was presented in Chapter One through a discussion of Rorty's epistemological behaviorism and McCarthy's defense of unconditional grounding of normative theory. Here, Rorty's position amounts to the claim that as human beings we are inescapably bound to an epistemic horizon of language and practice without recourse to transcendental standpoints. And subsequently, that all philosophical justifications must be seen for what they are, namely social practices of justification. We have on this picture no access to foundations on which the unconditional truth of philosophical concepts can be built. Conversely, McCarthy maintains that in philosophy we indeed *can* locate transcendent properties, and thus can use these unconditionals as foundations. This is seen, for instance, with the notion of truth: We can see that there might be many local interpretations of what the conditions for truth are (like logical coherence, correspondence to experiment, religious sanction, etc.). But regardless, the notion of truth can still be turned in on itself and used to question the truth of any of these interpretations. As such, there is a transcendent element to truth that escapes any particular epistemic horizon of language and practice. When transcendence is discerned in this way through the property of self-reference, I call it a function of recursion.

In my analysis I have shown that recursive grounding, as presented above, shares important elements from both positions in a way that indicates a possible unification of the two. It shares with Rorty the idea that evaluative standards and philosophical justifications must be derived from social practices and that our access to these practices goes through language. In Habermas this is seen by formal pragmatics describing the social practice of discursive validation of utterances aimed at mutual understanding. Similarly, in Honneth both recognition and social freedom are descriptions of intersubjective and institutionalized social practices (in which language is used). And in Forst, we find a description of justification as a practical discursive activity. The critical concepts that emerge from recursive grounding also share with Rorty the idea that critique always only will be "piecemeal and partial" (Rorty, 1980: 179). This is seen in Honneth, when the critique of injustice and resulting struggles for recognition always only approximate a fully just society whose realization will perpetually be out of reach. In Forst this is seen in a similar manner, as justificatory orders are always only provisionally established and remain open to challenge. In Habermas, this is seen less directly with formal pragmatics, as the principles with which society-level critique is performed – the principle of universalization and discourse ethics, both of which are ultimately derived from formal pragmatics (Finlayson, 2019: 28) – are quite a few steps removed. Nevertheless, the standard of discursive validation in formal pragmatics still displays in its own 'small' way a similar piecemeal approximation of consensus, as new rounds are always possible. What I here mean by 'small' is simply that it refers to standards between alter and ego engaged in discursive practices aimed at mutual understanding rather than at standards for society-wide critique.

However, this is just about as far as the congruence between Rorty and a recursive grounding of normativity can be stretched. With a recursive grounding we still uphold the possibility of finding a normative surplus of meaning in the practices and language we investigate. What is more, we claim to be able to idealize it and then use it as an unconditional or objective foundation. The reconstructive method, presented by McCarthy largely in relation to Habermas, but on my view in a way that allows for an extension to Honneth and Forst, operates with the assumption that it is such reconstructed surpluses of meaning that gives normative theory its critical potential. In other words, that normative content, which exceeds its contextual origins, can be context-immanently reconstructed. In this way, rather than abandoning the idea of the unconditioned or the transcendental critique, reconstruction seeks to, in McCarthy's words, "recognize the idealizing elements intrinsic to social practice and build on them" (McCarthy, 1992: 259). This is seen across Habermas, Honneth and Forst, when transcendence is viewed

as part of the immanent. Here, claims to validity transcend their immanent discovery in formal pragmatics and the models of intersubjective recognition and social freedom transcend their immanent discovery as modern relations, just as the concept of justification transcends the immanent justificatory order in which it was discovered. The 'fact' of recursive normativity, so to speak, and how it works, escapes its immanent derivation.[29]

Normative recursion between utopianism and realism

With this analysis of recursive grounding and its relation to foundationalism and anti-foundationalism in place, we can turn to the question of how normative recursion relates to the utopian and realist stances on normative political theory. This divide was presented in Chapter One through as discussion of Cohen and Williams. Here, Cohen represents the utopian stance that normative principles must always ultimately be supported by other fact-insensitive principles. What is meant here is that while many of the normative principle we encounter and use to guide our behavior in everyday life might very well be supported by facts, they will under interrogation and continuous press for chains of justifications of that factual support end up being supported by other principles without factual grounding. Conversely, Williams represents the realist stance that normative concepts in political theory must, because of their special status as political, be grounded in the realism of the special character of the political itself, rather than in free-standing moral principles. On this view, political reality refers to the facts that the content of political principles is always a product of political discussion within non-ideal circumstances and contingent historical deposits. To be clear, Williams is not arguing that moral principles cannot be determined by free-standing moral principles – only that political principles are distinct from these in that they cannot be so determined.

The recursive normative concepts that I have analyzed in this thesis share important aspects of both Cohen's utopianism and Williams' political realism. I believe that the insights regarding normative concepts in political theory afforded us by the introduction of recursion goes quite some way in reconciling the division between the two positions. At least, it points to a shared openness for demands for further reasons for normative grounding with Cohen, and points, in Williams, to a shared idea of establishing a core skeleton or basic structure of normative principles that must later be fleshed out in contexts. Here, it is specifically the

[29] See the introduction for an explanation of how I view the nature of recursion.

formal aspects that I identify in formal pragmatics, recognition, social freedom and justification, that, when understood as recursive, make such an alliance possible.

Normative recursion and realism

As we saw in Chapter One, it is Williams' position that philosophy can establish a core skeleton or basic structure of a political value such as freedom, but that the business of deciding what freedom has become or should be must be a function of actual history (Williams, 2005: 75). Here, I would argue that the idea of establishing such a core skeleton or basic structure of a normative concept, only to have concrete practices in actual history put meat on its bones, fits the picture of formal pragmatics, recognition, social freedom and justification like a glove. As explained above, it is exactly the point in my analysis of these concepts as formal that they establish normative criteria for evaluations of norms, practices and institutions that must be filled out by concrete interpretations in concrete contexts. Claims to validity in formal pragmatics, inclusion and individuality in recognition, and reciprocity and generality in justification are all normative standards that can be seen as such skeletons, since what counts as meeting these criteria is a function of discursive practices tied to actual history.

In this way, there is a remarkable similarity between the mechanisms of Williams' basic demand for legitimation, which he identifies as inherent to politics, and the normative recursion I have described through formal pragmatics, recognition, social freedom and justification. The basic demand for legitimation refers, as we saw, to subjects demanding that the coercive power of their political order should be justified to them. This demand is in Williams inherent to politics because politics by nature refers to disagreements and conflicts over how to settle the first question of politics, namely how to establish order. As such, the basic demand for legitimation is equally intrinsic to the nature of the state as the political institution that, because of its monopoly on violence and supreme yielding of coercive power, is meant to solve the first question of politics. What is important here is that this basic demand for legitimation does not stem from some free-standing moral principle, but rather from the reality of the political itself, since people will want to have coercive power justified to them. As Williams stresses, the introduction of such a principle should not be construed as a return to morality over politics: "The approach is distinguished from that of PM [political morality] by the fact that this principle, which comes from a conception of what could count as answering a demand for justification of coercive power, if such a demand genuinely exists, is

implicit in the very idea of a legitimate state, and so is inherent in any politics" (Williams, 2005: 8).

The similarity of the basic demand for legitimation to the normatively recursive concepts analyzed in this thesis is most readily seen in Forst's justification. Here, the demand for justification is seen as a demand that is inherent to humans as justificatory beings and it extends beyond orders of coercive power to include all social arrangements that affect the subject in a relevant way. But the mechanism is the same: What counts as an answer to the demand for justification is inherent to the context of subjects giving and demanding reasons. Forst reconstructs the basic model or skeleton of justification – but it is people who gives it content in practical discourse. The same logic, as explained above, applies to Habermas' formal pragmatics and Honneth's recognition and social freedom.

Yet, this is where the equivalence between Williams' political realism and the normative recursive concepts I have explored ends. Williams stresses that political disagreement cannot be compared to legal scholars arguing about the correct interpretation of a constitutional text. Political disagreement "must be understood as disagreements stemming from opponents who are reading different texts altogether" (Williams, 2005: 77–8). Here, it is Williams' point that opposing sides in political conflicts are informed by completely different historical deposits and lived realities. This idea clashes with the universal assumptions about human capacity for discourse we find in Habermas, Honneth and Forst. In Habermas it is clear that the capacity for rational discourse must be seen as a species-wide capacity. We can say, to borrow the language of Williams, that the idea of underlying claims to validity in all utterances aimed at reaching mutual understanding works as a book-casing that unites our different texts under one shared framework (however different the chapters of such a book might look). To Habermas, this universal framework does not place morality first, since the normative content of formal pragmatics is not invented by the moral philosopher but rather already present in the structure of our speech acts (Finlayson, 2019: 44).

With both Honneth and Forst, however, we find a different emphasis on the importance of morality. In Honneth the emergence of the modern spheres of recognition and social freedom are directly seen as instances of moral progress and the capacity to participate in intersubjective identity-formation is assumedly universally shared.[30] And in Forst, the moral context of an unlimited community

[30] Though it must be said that Honneth is a little unclear on the extent to which the modern relations of recognition can be universalized beyond their origins in Western modernity. I tend

of all moral persons and its criteria of generality and reciprocity must be seen as an overarching context that in this sense places morality 'over' politics. Here, the capacity for rational justificatory discourse is assumed for all human beings. In all cases Williams would, I believe, identify their projects as instances of placing political moralism over political realism.

Normative recursion and utopianism

With regard to Cohen's utopian stance, I would argue that the formal character identified in my analysis of the normatively recursive concepts shares with Cohen the idea that there is an open-endedness to normative principles such that they can never be completely – or at least stably – tied down to the corresponding facts of a given time and place. As we saw in Chapter One, it is Cohen's contention that there must always be an explanation of why any 'ground grounds what it grounds.' That is, whenever we ground a normative principle in a fact, we can always inquire into the reason behind this connection between fact and principle: "whenever a fact *F* confers support on a principle *P*, there is an explanation for why *F* supports *P*, an explanation of how, that is, *F* represents a reason to endorse *P*" (Cohen, 2008: 236). In this manner, any claim of something (a fact) grounding something else (a principle) can be probed for further justification. If we accept this claim that a further explanation can always be demanded for why some fact supports a normative principle, then the presence of such additional justifications is in itself pointing to the presence of another (fact-insensitive) ultimate ground.

I believe the open-endedness of the normative content in formal pragmatics, recognition, social freedom and justification resembles this claim of an open-endedness to explanations of how reasons confer support to normative principles in Cohen. As I have shown with the recursive concepts I have analyzed, further rounds of discursive validation are always possible. In formal pragmatics, a mutual understanding with redeemed validity claims to truth, rightness and sincerity can always recursively be challenged and reopened for new rounds of validation. With recognition we see a similar recursive openness to challenges of the established order of recognition, where new identities can demand recognition with reference to having equal worth to those engaged in previous struggles. And with justification, the right to justification recursively ensures a continual process of reason-giving and -demanding. All three concepts have incorporated the possibility that people will always be able to ask for an explanation of why any

to believe that the stress placed on psychologically and anthropologically grounded mechanisms of recognition points to an answer in the affirmative.

ground grounds what it grounds – with, in principle, endless chains of justifications ensuing.

However, the similarity between Cohen's utopian stance and the recursive grounding of formal pragmatics, recognition, social freedom and justification comes to an end when we consider the way in which these concepts are extrapolated from what is assumed to be antecedent facts about human beings. As we saw above, Habermas operates with the human capacity for communicative action as such an antecedent fact. Similarly, Honneth works with an anthropological assumption about human subjectivity as intersubjectively constituted. And Forst straightforwardly uses the assertion that all human beings are justificatory beings as an antecedent fact. Indeed, as I have shown in my analysis, it is a special feature in the theories of all three that they locate transcendent critical potential within immanence – an immanence that extends all the way down to these (in principle falsifiable) facts about human beings and their capacity for language, intersubjectivity and reason-giving and -taking.

Here, I think it is clear that Cohen would reject the possibility of such facts as support for the normative content of Habermas, Honneth and Forst's critical theories. Even if we stressed the procedural nature of formal pragmatics, recognition, social freedom and justification – as I have done in my analysis of these as recursive transitions networks – and forgot about the alleged support by facts, they would still not satisfy Cohen's requirement for supportive principles. As we saw in Chapter One, Cohen rejects the idea that procedural principles or some other form of meta-principle (such as Rawls' original position) could support normative principles in the place of another fact-insensitive principle. On Cohen's view, even such 'neutral' or procedural meta-principles must themselves have the support of a further fact-insensitive principle in order to justify them. Such a meta-principle would only work because it is supported by some other fact-insensitive 'conception,' for instance that people are free and equal and therefore should have access to the process (Cohen, 2008: 241).

In summation, normative recursion points to the possibility of a normative theory that shares with Cohen an ingrained openness towards asking for reasons in support of normative foundations – while also sharing with Williams the idea of 'only' establishing a core skeleton or basic structure of normative principles that must later be fleshed out in contexts. However, the emphasis on morality as an overarching frame – at least in Honneth and Forst – clashes with the realist emphasis on political principles being inherently different form moral principles. And further, the idea of tying normative theory to antecedent facts about human beings cannot be supported by Cohen's utopian stance.

Normative recursion in relation to action-guidance, fact-sensitivity and end-state versus transitional critique

Chapter One also presented dividing lines in the literature on normative theorizing through discussions concerning the capacity of theories to be action-guiding, to be sensitive to facts in the theorizing process and to presents either end-state or transitional critiques. These dividing lines can be used to clarify some of the properties of normative recursion as an approach to normative political theorizing going forward.

End-state versus transitional ideals

Starting with the discussion of end-state versus transitional critique, this debate is framed around whether or not normative theories should provide ideals in the form of fully just societies, or whether they should provide ideals that capture gradual improvements. As we saw in Chapter One, this distinction is used by Rawls where end-state properties of ideal theory are given 'normative and logical priority' over the transitional steps of non-ideal theorizing. This logical priority follows from the assumption that even gradual improvement of society must necessarily have a goal to work towards (Valentini, 2012: 660). Pure non-ideal theorizing, on the other hand, takes feasibility constraints and assumptions of partial compliance into account in the theorizing process, with the argument for this approach being that it lends itself better to realizable gradual reform and incremental steps toward justice.

Placing the regulative ideals that we find in the analysis of Habermas, Honneth and Forst in relation to this debate requires some differentiation between the three. But to begin with, it is clear that all three thinkers offer an account of what full realization of their ideals would look like. Indeed, the picture of mutual understanding and communicative rationality is an idealized presentation of the potential of language and communicative action. The picture of full recognition and social freedom as the subject achieving a complete relation-to-self is similarly idealized. The same can be said of Forst's ideal state of affairs, in which all social orders are satisfactorily justified to those whom they affect in the relevant manner. Yet conversely, the pictures in Habermas and Honneth are also very much supposed to be informed by reconstructions of social practices with normative content in the real non-ideal world. Forst stands out here, as the starting point of human beings as justificatory beings can be said to be idealized from the very beginning.

Breaking these differences down further, both Honneth and Forst operate with a critical framework where experiences of injustice here and now work as the critical impulse for their theories. In Honneth it is the psychological experience of disrespect and withheld recognition that in concrete circumstances, if channeled properly and with the assumption that the experience does not break the subject, motivates struggles for recognition. And these struggles born from concrete experiences in turn inform the ideal of what full recognition looks like. Similarly, in Forst we find that the critical impulse for demands for justification – indeed the right to justification – stems from people in non-ideal normative orders experiencing norms, institutions and practices that are not properly justified to them. In this sense, both Honneth and Forst present normative ideals that aim for transitional justice, since the concrete interpretations within contexts always only approximate the formal ideal. Formal pragmatics in Habermas does not easily lend itself to this framing, as it describes a more limited communicative situation where failure to reach understanding can hardly be seen as an experience of injustice.

Another difference between the three in relation to this divide can be seen in the way Habermas and Honneth, unlike Forst, operate with what I have called the telos of a hypothetically anticipated ideal of full realization. As presented in Figure 9, the reconstructive methods of Habermas and Honneth utilize their idealizations as hypothetically anticipated descriptions of what full realization of their normative concepts would look like in order to bring it back to the present as an evaluative yardstick. This kind of ideal theorizing, which I have identified as teleological, closely resembles end-state theorizing, where gradual improvements are made possible with reference to the ideal. In Honneth we find an ideal that has society-level justice as its scope, whereas in Habermas' formal pragmatics we see an ideal that is scaled down to successful communication between alter and ego. But it must be said that the end-state-like ideals in Habermas and Honneth are constructed on the basis of an investigation into the normative potentials of the present and the path of progress that led to them. In this way, the end-state visions in Habermas and Honneth are not grasped from thin air, but rather from the material of the non-ideal present and *its* gradual achievements.

Fact-sensitivity and action-guidance

With this, we can turn to the dividing line of whether or not we should be fact-sensitive in the theorizing process of normative political theory. This debate has close ties to the end-state versus transitional critique discussion above. As presented in Chapter One, the question of fact-sensitivity refers to what we could

call the 'input side' of theorizing. Here, we saw Johannsen define fact-*in*sensitivity as the idea of not letting feasibility constraints or moral costs of implementation influence the theorizing process and the resulting normative principles and ideals (Johanssen, 2017: 246–8). Conversely, Lister defined fact-sensitivity as limited generality, since the more contextual facts determine the workability of a normative principle, the less this principle can be generalized across contexts (Lister, 2017: 118). Finally, Farrelly identified dangers inherent to both overly fact-sensitive normative theorizing and overly fact-insensitive normative theorizing. In the former case, we risk adaptive preference formation, which could result in a situation where those circumstances a normative theory is meant to improve upon are instead taken for granted in a status quo maintaining manner. In the latter case, we risk impotent normative theory that is constructed as logically independent from actual society and therefore cannot be applied to it.

Relating the reconstructive methodology of Habermas, Honneth and Forst to this debate generally reveals, I would argue, their approach as occupying a space between the extremes. Following my analysis, it seems on the one hand clear to me that neither Habermas, Honneth nor Forst are prone to let feasibility constraints limit the critical potential of their regulative ideals. The pictures of mutual understanding in Habermas, full recognition and social freedom in Honneth and justified normative orders in Forst seem to pay little attention to any barriers of feasibility that might limit our chances of getting there. This points, following Johannsen, to fact-insensitivity in their theorizing. On the other hand, and following the critique of all three theorists as relying on ethnocentric assumptions or Eurocentric narratives of modernity, an argument can also be made that the rootedness of these theories in Western philosophical traditions of thought limits their generalizability. This argument points, following Lister, to fact-sensitivity in their theorizing (even if unintended).

Here, again, I believe there is a quality to the reconstructive methodology where invariant or transcendent points of reference for normative critique are derived from immanent material, which places it between fact-sensitivity and fact-insensitivity. Reconstruction of normative ideals of social practices from the present clearly points to fact-sensitive theorizing. If the reconstruction remained purely immanent – meaning that its derived evaluative standards were purely tied to the internal logic of those social practices it investigated – then clearly such a reconstruction would be fact-sensitive and limited in its generality. The elements of immanent reconstruction I have shown in my analysis confirms the presence of such fact-sensitivity in Habermas, Honneth and Forst. But the added element of locating elements of transcendence and unconditional grounding, also shown in

my analysis of Habermas, Honneth and Forst, equally confirms a fact-insensitive element to their normative theorizing. Here, universals are derived from the immanent material. This is seen when the three claims to validity of utterances aimed at mutual understanding in formal pragmatics are described as universal to all communication. It is also seen in Honneth when the picture of recognition as a complete-relation-to-self is deemed universally applicable, and when "the idea of autonomy represents an achievement of modernity that can only be reversed at the price of cognitive barbarism" (Honneth, 2014: 17). Finally, it is seen when the right to justification is described as belonging to an overarching context of all moral beings. The derivation of this universal normative content from formal pragmatics, recognition, social freedom and justification allows the theories to escape from the charge that fact-sensitivity limits the generalizability of their normative concepts. Reconstruction that locates transcendence within immanence, in other words, is both fact-sensitive and fact-insensitive.

Another way of getting at this middle position is to place Habermas, Honneth and Forst's theories in Farrelly's model of fact-sensitivity in theorizing presented in Chapter One. Here, Farrelly also reserved a position between the two ill-advised positions of impotent fact-insensitive theory and status quo maintaining fact-sensitive theory. Farrelly calls this a moderate position, where only some moderately strong feasibility constraints are allowed to influence the normative theorizing process. I believe that Habermas, Honneth and Forst can all be placed in this moderate position, as their normative critiques are reconstructively derived from the facts of actual social practices and yet maintain the potential for transcending the status quo.

From this, we can turn to the debate on how much the capacity of providing practical action-guidance should influence normative theorizing. As we saw in Chapter One, following Valentini, the requirement of action-guidance can be taken to mean three things. First, it could mean that normative theories should be considered faulty if they fail to motivate or inspire action. Second, it could mean that immediately actionable prescriptions should come out of the theories. And third, it could be taken to mean that actions prescribed by a normative theory should not be self-destructive to anyone following them.

I do not think that the property of normative recursion in critical concepts alone makes them meet any of these action-guidance requirements. But normative recursion does, as shown in my analysis, preserve a close connection between the substantive normative content of an ideal and the concrete contexts it seeks to inform. So, while it is clear that the formal character of these recursive concepts makes them highly abstract – since that is the only way they can recursively apply

to different contexts – they remain concrete and context relevant when translated into action-guiding principles within contexts. Borrowing Habermas' formulation, we can say that the process of interpretation in contexts translates the 'weak oughts' of abstract formalism into action-guiding 'strong oughts.' As I showed in my analysis, there is still substantive normative content in these recursive concepts, despite their abstract formalism, as the recursive standards of truth, rightness, sincerity, inclusion, individuality, reciprocity and generality only allow for these interpretations within contexts to be expressions of a certain kind. The recursive property of these standards renders them in principle open to an infinite number of interpretations – without this meaning that anything goes.

To those who might still worry about abstract formalism and an inability for action-guidance in the concepts I have analyzed, I will offer O'Neill's refutation, with which I agree:

> This worry misconceives what principles must be like to guide action. The fact principles underdetermine action mean only that they do not provide those who adopt them with an auto-pilot for life, and not that they do not structure and constrain it. Judgment is always needed in using and following – and in flouting – rules or principles; but principles are none the less important. (O'Neill, 1996: 78)

III

As I explained in the introduction to this thesis, my choice of exploring normative recursion was informed by a fundamental conundrum. Can we, as citizens and as normative theorists, be aware that our standpoints for authoritative normative evaluations of norms, practices and institutions are themselves part of our object of inquiry – and yet still maintain that authoritative normative critique is possible? Motivated by this puzzle, I have in this thesis sought what I call radical internal critique. Such a critique is anchored in the historically specific and contingent norms, practices or institutions that underly society – but is still somehow able to invoke normative principles that are not yet underlying society's norms, practices and institutions (Schaub, 2015: 108). I have framed this search and the resulting analysis of normative recursion as an answer to the fundamental question of this thesis: What properties are required of a normative critical concept in order for it to be (a) derived from the social facticity of prevailing norms, practices and institutions in a given society and (b) still be capable of informing radical critique?

And so, my answer to this question is that *recursion* is the property required of normative critical concepts, if they are to meet both conditions (a) and (b). As I have shown throughout this thesis, reconstructions of normative concepts that display this recursive property can meet these conditions because of their formal character. They can – I argue – due to the normative validity surplus of this formality point forward to critiques that use principles that do not yet underlie society's norms, practices and institutions, even as they are reconstructed from the material of the norms, practices and institutions already in place.

I have in this thesis made the argument that normative recursion offers a very promising way forward for critical theory and normative methodology in political theory. I believe the allure of this promise lies in the way in which recursive normative concepts afford us normative standards that we can 'impose' on competing conceptions of the good – safely and without fear of this being an exercise of one arbitrary contextual point of view exerting domination over another. What makes this possible is a function of recursive standards being able to produce infinite outputs from a single rule.

This recursive property of the normative concepts that I have analyzed in this thesis can be described as a fixed-yet-flexible quality in their evaluative standards. These standards are fixed in the sense of being able to provide substantive normative criteria that we can use to authoritatively discern progressive tendencies from regressive ones. But at the same time, they are flexible in their openness to translations within concrete contexts. Discursively redeeming truth, rightness and sincerity in communicative action can be done in many ways with reference to many different ethical vocabularies and forms of life. In the same way, intersubjective determination of which identities can be said to increase inclusivity and individuality is left to participants in concrete contexts using the vocabulary relevant to them. And finally, discursively redeeming what counts as a reciprocally and generally satisfying reason must always be worked out within contexts with the discursive use of the languages relevant to them. In this manner, the flexibility of these standards ensures that they do not pre-determine which concrete substantive positions within contexts are normatively permissible.

The critical standards derived from recursive normative concepts, in other words, allow for an infinite number of expressions *of a certain kind*. This openness, I argue, ensures that the normative force of such standards cannot be seen as arbitrarily expressing the particular value-horizon from which they are derived. At least, only at the cost of denying the fundamental status of the social practices underlying them, which means a denial of mutual understanding, recognition, freedom and the need for justifications as expressions of universal human

practices. This is a denial that I have a hard time imagining could be justified. The promise of normative recursion to critical theory is thereby a non-ethnocentric universalism that is suitable for authoritative normative evaluations in a world with increasing value-pluralism.

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