



## How are Bundles of Social Practices Constituted?

Italo Testa 

Department of Philosophy, University of Parma, Parma, Italy

### ABSTRACT

In this paper, I analyse Rahel Jaeggi's socio-ontological account of forms of life. In the first section, I show that her framework is a two-sided one, since it involves an understanding of forms of life both as inert bundles of practices and as having a normative structure. Here I argue that this approach is based on an a priori argument which assumes normativity as the condition of intelligibility of social criticism. In the second section, I show that the intimate tension between these two sides is reflected in the socio-ontological model of the constitution of social phenomena, which on the one side is understood in terms of habituation and materialization, and on the other side in terms of constitution through norms. I argue that the second side in the end prevails and leads to some sort of normative essentialism which involves a prescriptive meta-theoretical understanding of normativity combined with a socio-ontological model of constitutive rules. In the third section, I then analyse two arguments that Jaeggi offers in support of her assumption that normative constitution is the deep structure of social practices. I name these the *functional-teleological argument*, and the *crisis developmental argument*, and argue that neither succeeds in proving that practices are not normatively underdetermined.

### KEYWORDS

Normativity; social ontology; habit; critical theory

Q2

Q1

### A Two-sided Social Ontology of Forms of Life

In her recent work, Rahel Jaeggi develops a socio-ontological framework that should account for social practices as forms of life and offer a basis for a notion of immanent critique. Jaeggi defines forms of life as “normatively structured inert bundles of social practices”.<sup>1</sup> As I will show, such a socio-ontological understanding of forms of life is a two-sided one, since it involves an understanding of forms of life both as (a) bundles of practices, and (b) as having a normative infrastructure.

On the one hand, (a) forms of life are conceived of as bundles of practices.<sup>2</sup> Such practices are understood as (i) having a habitual character, (ii) not being intentionally structured as a whole, and (iii) being the result of a practical-inert sedimentation. First, practices are understood as “sets of actions which have a repetitive and habitual character”,<sup>3</sup> which means that, in order to recognize some events as a practice, there must be some repetitive pattern involved. Second, practices “are not intentionally structured as a whole”,<sup>4</sup> since they may be based on implicit and tacit knowledge, we may participate

**CONTACT** Italo Testa  [italo.testa@unipr.it](mailto:italo.testa@unipr.it)

© Critical Horizons Pty Ltd 2019

in them without planning, and these practices may bring about consequences not intended by the participants involved in them. Third, such practices contain sedimentary elements, praxis components that are not always accessible and transparent to the participants and that are already pre-reflectively given to them.

50 On the other hand, (b) Jaeggi ascribes a normative infrastructure to practices that constitute forms of life. Such practices (i) are identified by a function and an inherent telos, some aim that might be achieved by engaging in them, and (ii) are essentially defined by norms:<sup>5</sup> they are not just observed regularities, but they are determined by rules that define criteria of either right or wrong application.<sup>6</sup>

55 Now a tension seems to arise between these two sides of Jaeggi's understanding of forms of life as bundles of social practices. This is a problem Jaeggi is somehow conscious of when, in her *Kritik von Lebensformen*, she asks herself how it is possible to reconcile the "prescriptive aspect of norms with the loose and informal habitual character of forms of life".<sup>7</sup> In order to unveil the roots of such a tension, let me first raise a further question: why does Jaeggi combine these two sides? What moves her in this direction? We can better appreciate this, if we realize that Jaeggi's framing of forms of life as normatively structured inert bundles of social practices is a strategy to answer a background question that touches more upon general critical theory, and that is the question of how social practices are possible objects of critique. The specific way in which Jaeggi articulates such a question already unveils some aspects of the detected tension: "Are forms of life, understood as inert bundles of practices, a possible object of critique?"<sup>8</sup> According to Jaeggi, for something to be a possible object to critique, (i) it must be subjected to change – it is meaningless to criticize what cannot be changed – (ii) it must entail a claim to validity, and (iii) there must be a norm that is being violated, and someone or something accountable for it. And here Jaeggi's concise answer to the aforementioned question – "criticizable in a proper sense are only those objects that can be normatively qualified"<sup>9</sup> – offers the underlying reason for her framing of forms of life as normatively structured inert bundles of social practices.

70 But what kind of answer is this? This seems to amount to an a priori argument on the conditions of intelligibility of critique: accordingly, practices must be thought of as structured by norms in order to be possible objects of critique, hence they are structured by norms. If we concede such a reconstruction of Jaeggi's argument, then some preliminary objections arise. First, even if we were to assume that the normative structuration of practices is in principle a condition of thinkability of critique, could we infer from this that practices are de facto normatively structured? Moreover, should we concede the assumption that something, in order to be a possible object of critique, must be normatively structured, and that acts of critique are intrinsically normative ones?

75 It seems to me that here a questionable premise is being assumed, that is, an equation between validity claims and normativity which emerges when Jaeggi writes that "in order to be a proper object of criticism, an entity must entail a claim to validity, in other words norms of some kind or other must be involved".<sup>10</sup> But are all claims of validity vindications of norms? This is not self-evident and should rather be proved. For instance, that a truth claim is the vindication of a norm is not a shared assumption in semantics. And if we consider aesthetic claims, that equation seems rather counterintuitive. If we were to assume such an equation, then I fear that most of literary, aesthetic criticism, and exemplary judgments, would be at risk of not being considered an instance of critique.

Literary criticism is concerned not only with analysing artworks, but also with judging their validity. But when we express a critical judgment on a novel, a poem, a picture, what we judge is very often its expressive power, its capacity to disclose aspects of experience previously unarticulated, to enrich our language. Critique here does not mean to judge whether something is right or wrong, whether some norms are either correctly or wrongly applied. Yes, we can of course study the metrical structure of a poem, and establish whether it corresponds to codified metrics. Still, correct application of the codified metrical structures may be judged as a negative sign of bare repetition, while creative violation of them could be seen as a sign of an innovative character of this work. Of course, normative aesthetics can be a part of literary criticism, but if one critic were to proceed only in this way, we would say that she or he is a bad, stiff critic, incapable of getting what really matters in artworks. And this is not far from what happens in social criticism too: Adorno's *Minima moralia* can strike us as a powerful work of social criticism just because very often it has an illuminating power, disclosing aspects of experience previously unseen. In a nutshell, social criticism can involve the vindication of norms but does not necessarily do so.

### Habitual Constitution and Normative Constitution

We can better understand the intimate tension which animates Jaeggi's conception of forms of life if we now consider more analytically how she conceives of the constitution of social phenomena. In Jaeggi's framework the socio-ontological constitution of practices is two-fold, insofar as it involves (i) habitual and material constitution, and (ii) normative constitution.

As for the first aspect, social practices are understood as constituted by repeated action, that is, as the result of the embodiment and the objectification of habitual patterns of action. Moreover, such an objectification through habituation involves the materialization of practices in both the material and the institutional world, that is, in the physical, cultural and institutional environment: for instance in work tools, or in the architectural structure of a city, in which we happen to live, and that somehow shapes the way we live, the way the public and the private sphere are distinguished.<sup>11</sup> The habitual constitution of social practices is not just a matter of embodiment of patterns of action in individual living organisms, but also involves the materialization of such patterns in an extended physical and social world. Such a nexus between habituation and materialization in the constitution of social practices accounts for their inert aspect, i.e. the fact that, once materialized, determinate bundles of practices survive the social actors that have enacted them, crystallize themselves and have an inertial component.<sup>12</sup>

But the constitution of social phenomena is not just a matter of habitual-material constitution, since according to Jaeggi it also involves normative constitution. Accordingly, practices "are socially constituted, established in a distinctive social and historical framework, 'under an interpretation' that is always also normatively infused".<sup>13</sup> As for this latter aspect, Jaeggi seems to defend a position which could be labelled as some sort of *normative essentialism*.<sup>14</sup> Following Maurice Hauriou's institutionalism,<sup>15</sup> for Jaeggi, practices should be understood as structured around an essential idea,<sup>16</sup> which would express their deep formal structure and telos, defining what it means to fulfil a given practice. The directing, leading idea of practices, is then normatively understood in terms of stage setting,

constitutive rules,<sup>17</sup> that is, rules that do not simply regulate previously existing phenomena but without which these phenomena would not exist. As Jaeggi writes: “I would like to call the norms that direct and constitute practices (and, as a result, forms of life), ‘ethical-functional norms’: norms without which the practices would not be what they are.”<sup>18</sup> The telos/idea of social practices is thus analysed as a normative form which both constitutes, structures and individuates their essence. This leads to some form of normative essentialism, according to which social practices are essentially identified by constitutive norms.

Let me develop some considerations on the meta-theory of normativity that is involved here. Jaeggi’s starting point is von Wright’s notion of norms as things that govern action. Whereas von Wright divides norms into rules, prescriptions, directives, moral norms and ideals,<sup>19</sup> Jaeggi’s (rather Kantian) move tends to subsume all norms under the narrower notion of prescription. Her general strategy seems to use the notion of “normative” by opposing it to the notion of “descriptive” – normative is “everything that does not describe, but rather prescribes”.<sup>20</sup> Such a prescriptive notion of norms is then interpolated with the Rawlsian and Searlian constitutive rules model, which in the end leads to a game-like description of social practices, where constitutive rules are understood as stage setting, that is, as rules that set up a game and define its identity. This way social constitution ends up being equated with essential constitution: norms constitute social phenomena as rules that define the essential identity of a game (“X counts as Y in C”). For instance, if I do not follow or break determinate core rules – such as closing my eyes in hide and seek – I am not playing that game at all or I am playing another game. But on the other hand, according to Jaeggi the rules that constitute social practices are not just definition rules but are connected with some deep prescriptive force, which tells us what should be done and what should not, and involves some sort of sanctions for those who do not comply with them.

Now Jaeggi assumes that bundles of practices are dynamic, that the context of practices is an open one, and that “it cannot be clearly or conclusively answered a priori which practices are essential for what and which practices are dependent on each other”.<sup>21</sup> Still, due to her interpretation of the telos of practices in terms of constitutive rules that determine the identity of the practice, she cannot admit that a practice may be determined by a multiplicity of ends (otherwise the practice would end up being undetermined). Hence, in order to avoid semantic and normative under-determination of practices, Jaeggi is led to assume that, if the same sequence of actions expresses different inherent telos/ideas, then it is to be considered as a different practice.<sup>22</sup> For instance, when I flirt with the shopkeeper while shopping, the same sequence of actions instances two different practices – shopping and flirting – since it is determined by different purposes. A strategy which to my mind can potentially lead to a rather counter-intuitive multiplication of social practices, and whose paradoxical result depends on Jaeggi’s understanding of the leading ideas of practices in terms of constitutive rules. Notwithstanding Jaeggi’s efforts to argue that the ethical-functional rules that constitute social practices, being connected with deep prescriptive pressure and holistically structured, are not just definitional game rules based on Lewisian conventions and understood as auto-referential normative systems,<sup>23</sup> it seems to me that in the end, due to the adoption of the constitutive rules model as the definition of the essence of a practice, the game-like framework of rules ends up prevailing in her model of social practices.<sup>24</sup>

Let me now come back to the question of the relation between habitual constitution and normative constitution. How can they be made compatible and combined? Jaeggi’s

strategy consists in normativizing social habits, that is, in offering a normative reconstruction of the notion of “custom” and “use”. This move could be advanced in a weaker version, which we can call the “normative infusion” model, where habit-based social practices are somehow infused by normative relations in a multi-fashioned, not uniform way, and where habitual constitutions and normative constitutions remain different phenomena, even if intersecting ones. But Jaeggi seems rather to adopt a stronger version, where normative constitution in the end subsumes material constitution. Following von Wright, Jaeggi understands customs as a mixed form of norms.<sup>25</sup> But unlike von Wright, who observes that customs exert a weak normative pressure – customs and uses define some practices, but those who do not follow them, rather than being sanctioned because they do something that is not correct, are rather often treated as outsiders, out of the game – Jaeggi postulates that customs that are constitutive of forms of life have a “deep structure”. Such a deep structure of customs would combine the strong normative pressure of prescriptive correctness or incorrectness (involving some sort of social sanctions) with the defining (constitutive) character of game-like rules.<sup>26</sup> In the end, prescription is assumed to be the deep structure of social practice and social constitution is equated with normative constitution. And as we have seen in order for this to obtain habitual constitution has to be modelled on normative constitution.

Let me now finally point out some inherent risks of this conceptual strategy. First, as I have tried to argue, this strategy seems to be affected by some sort of normative reductionism. All species of social phenomena and of their constitution are finally reduced to instances of normative constitution. But should we concede that different phenomena (and the notions they fall under) such as customs, prescriptions, game rules, directives, standards, criteria, laws, ideals, principles, all fall under the same category, that is, they are all instances of norms? This is a nowadays largely accepted assumption in post-Rawlsian liberal political philosophy, and in other fields of philosophical inquiry where there is an expanding normativity industry, but is it an innocent one? As I have tried to argue, this move involves both a prescriptive reframing of the social and a game-like reframing of social practices. Once prescriptiveness, understood in terms of rules of correctness, becomes the focal meaning of normativity, and such rules are interpreted as essentially defining the identity of social practices, then the social ends up being reduced to the normative and understood in terms of systems of rules. Such a move should not be conceded as obvious and needs some further justification, since it could be argued that it may involve a category mistake – where phenomena belonging to a particular category are presented as belonging to a different one, that is, the category of prescriptive norms assumed as an overarching model of the social. Moreover, this move risks being an instance of what Adorno named “identity thinking”, where a variety of phenomena is being put under an abstract category that uninforms them and suppresses their difference. Of course, I do not mean to deny that prescriptive phenomena exist, and that they play a role in social life, for instance in juridical phenomena and in the system of positive rights. Still, what are the reasons to assume that they are the focus, if not the essential meaning of social practices, and to subsume other aspects under them? And the importance that Jaeggi herself attributes *prima facie* to the habitual constitution of social practices reinforces such a doubt, since the habitual structure of social practices is very often shaped by bodily patterns which resist normative analysis in terms of rules, as Bourdieu has argued,<sup>27</sup> and even when they are accompanied by or involve rules, the latter are very often facilitating,

instrumental, or proscriptive ones rather than prescriptions. After all, even von Wright's notation about the weak normative pressure exerted by customs, states their irreducibility to the grammar of prescriptions – which presuppose a norm giving authority that explicitly prescribes them and governs their authority, and is thus at odds with the anonymous and implicit character of the authority exerted by social practices. Moreover, if social practices, as Jaeggi argues, are not to be conceived of as conventional and autonomous systems of rules, but have rather an ethical-functional character and thus are holistically connected to more general ends of human practices that we find as already given, then it seems dubious that social practices can be interpreted as being wholly defined by constitutive rules. Even such constitutive rules end up defining the belonging of social practices to something that always precedes the rule itself and as such is not wholly determined by it. Jaeggi seems to admit this when she states, in a note, that ethical norms cannot be “constitutive in a radical sense” and seems to accept Raz's and Giddens' criticism of Searle, according to which rules in sociality are often both constitutive and regulative.<sup>28</sup> But she does not seem to see the deep implications of this, since the reason why rules in sociality cannot be radically constitutive, and are very often both constitutive and regulative, is due to the fact that they regulate phenomena which are already constituted by habitual and material structuration. Hence, I think that the relation between habitual and normative constitution of social phenomena should be revisited, and ontological priority be assigned to the former rather than to the latter.

### **Which Arguments Sustain the Claim that Normative Constitution is the Deep Structure of Social Practices?**

In this last section, I would like to consider whether Jaeggi offers some arguments in support of her underlying assumption that normative constitution is the deep structure of social practices, and that habitual constitution can be reconstructed in prescriptive terms. How can this idea be reconciled with the implicit, pre-reflective way in which we are immersed in social practices – Bourdieu's practical sense – and with the inertial character of the latter which Jaeggi herself admits?

When confronted with the mostly implicit character that social norms have, Jaeggi distinguishes three cases:<sup>29</sup> (i) rules once explicit that have been interiorized and have become implicit after their formulation has been forgotten; (ii) rules that we do not yet know and cannot verbally formulate, but that are in principle at our disposal and can be made explicit and formulated if we familiarize ourselves with the practice; (iii) aspects of the practice that are normatively under-determined insofar as they cannot be formulated in terms of univocal rules that can be fully or at all made explicit, as for instance what Stuart Hampshire named the condensed thinking of manners.<sup>30</sup> Now, Jaeggi's notion of the deep normative structure seems to assume that the first two cases are the heart of social practices – that in most cases social practices could be made explicit in terms of norms that define their identity<sup>31</sup> – and that the latter case is a peripheral one. I think that here we can reconstruct two possible arguments Jaeggi could offer in favour of this assumption.

As for the first one, which I would label as a *functional-teleological argument*, Jaeggi would say that, in order to be able grasp a practice, we must first identify its directive idea: we must assign to it a function related to an inherent goal (first premise). And if we concede that such an assignment of an inherent goal has the form of a constitutive

rule (second premise), then normativity is a condition of possibility for there to be social practices and our grasping them. I won't discuss here the first two premises – which of course are not self-evident at all and would merit closer inspection – but I would rather focus on the question of the functional indeterminacy of social practice. In fact, it's often rather under-determined what the proper function of social practices and social objects is. For instance, what is the function of money? Not only between its users but also between scientists, there is no theoretical agreement about what the main function of money is (is money a medium of exchange, a unit of account, a store of value?) and about who would have the authority to identify its essential core.<sup>32</sup> Still, we use money pretty well even though its main functional role – if there is to be one – may not be wholly determined, is at least unclear, and can change over time (consider also the much debated question: what's the function of family as a social practice?). Moreover, practices have multiple realizability: the same practice can serve a variety of functions – by shopping I can provide food for dinner and flirting both at the same time – and such functions have a multiple realizability. Still, we can easily participate in these practices notwithstanding this indeterminacy. So, even if we concede the premises of the argument, social practices could still be normatively undetermined and be an instance of (iii).

Jaeggi's answer to this objection seems to be based on some sort of functional split.<sup>33</sup> She admits that the context of practices is an open one and that "it cannot be clearly or conclusively answered a priori which practices are essential for what and which practices are dependent on each other".<sup>34</sup> But she tries to preserve her normative functional essentialism, as we have seen, by functionally splitting the practices. Along these lines, multiple realizability would concern functions but not practices, which are in the end assumed to be functionally (and hence normatively) determined: the same sequence of acts that counts as speaking with the shopkeeper, is multiply determined not because we have here a practice, *i.e.* shopping, which is functionally indeterminate, but rather because we have here one sequence of actions that instantiates two functionally distinguished practices – shopping and flirting.<sup>35</sup>

Now this answer poses some problems. First, it seems to involve, as I have already argued, a rather counterintuitive multiplication of practices. Moreover, I do not see why we need to identify a practice by a univocal functional role. Couldn't one and the same practice be compatible with a bundle of roles that vary over time and context? In this sense, the assignment of functions could still play an important role in how we navigate in our practices, while not being essential as for their constitution, and may rather be a retrospective, post-factum activity. This could mean that even the activity of assigning a functional role could be an instance of the third case of making explicit an implicit know-how, that is, a case that is normatively underdetermined.

There is a second argument that could be attributed to Jaeggi and that I would label as the *crisis developmental argument*. This argument springs from the fact that our relation to constitutive rules is mostly implicit, tacit. As we have seen, Jaeggi distinguishes three forms of implicitness of norms in practice: (i) implicitness of once explicit norms; (ii) implicitness of not once explicit norms that could nevertheless in principle be made explicit; and (iii) normatively underdetermined implicitness. Now, according to the "crisis" argument, in a problematic situation of crisis, when a problem or a conflict arises, we can reflectively make explicit some pre-reflective implicit aspects of practices and formulate them into explicit rules. Hence, there is a reflective space in our practices, and since crisis is

central to the development of practices and not just an exception, then this reflective space is also a constitutive moment of their reproduction and transformation.<sup>36</sup> This could be read as an argument in support of the idea that forms (i) and (ii) of implicitness are the heart of social practices, and that we have reasons to consider the third form as being peripheral.

Now I think that one could accept that this argument supports the idea that there is a space for reflectivity in social practices, and that reflectivity has a role in social reproduction. But the argument does not in itself prove that those reflective practices are determined and structured by norms. Reflectivity and normativity are not identical. Reflective scrutiny is not in itself a normative enterprise of evaluation of the correctness or wrongness of the application of norms. The latter is rather a species of the genus of reflective scrutiny. Moreover, the fact that I can submit to normative reflective scrutiny some previously implicit aspects of a practice, and maybe reformulate these aspects into codified norms, does not prove that those practices were constituted by norms. This may just be a retrospective rationalization, or else a retrospective act of normative codification which does not make explicit rules that we were already following and that defined the practice, but rather transforms the practice into rules. And even if we were to concede that the crisis argument proves that some aspects of practices are governed by norms – something I do not want to deny – the problem is that the argumentation does not prove that this is the core of social practices, their heart or deep structure. In other words, how do I know that this isn't just another outer-lying suburb in a non-centred configuration (as in a Wittgensteinian model), if not a peripheral, secondary formation (as in a more Nietzschean model)? After all, reflective scrutiny is for hermeneutical reasons always a local, contingent happening, based on an ocean of pre-reflective implicitness.

### **Conclusion: Away from the Normative Jargon?**

The notion of “critique of ideology” plays a central role in Jaeggi’s overall project and her conception of social practices as life forms should offer a basis for this enterprise. In “Rethinking Ideology” Jaeggi posits some desiderata for how critique of ideology should be understood within critical theory. Accordingly, critique of ideology should be positioned between normative and anti-normative alternatives in political philosophy.<sup>37</sup> In order to comply with the negative character of critique, which she wants to inherit from the Adornian tradition of the Frankfurt School, Jaeggi would like critique of ideology to consist neither in a form of normativism which appeals to substantive principles or to oughts external to social practices, nor in a form of anti-normativist which simply denounces every form of normativity as a contingent social construction. Here, Jaeggi speaks of critique of ideology as an enterprise which is not normative but rather normatively significant, insofar as it has consequences of normative import. But if we now consider the way I have reconstructed Jaeggi’s model of the constitution of social practices, we should rather say that the normative weight is here transferred to the socio-ontological side. In the end, Jaeggi’s enterprise does not maintain a middle position between normative and anti-normative position but is rather unbalanced towards the side of the former. Critique of ideology, then, ends up having a specific normativity, which is an ontological one, once ontological constitution is equated with normative constitution. In fact, critique



of ideology continues to appeal normatively to prescriptive oughts, but Jaeggi's ambition is to locate such oughts within social practices rather than to appeal to them as to external criteria, as happens for example with Sally Haslanger's model of critique of ideology.<sup>38</sup>

In this paper I have analysed some problems that Jaeggi's strategy to locate normativity within social practices poses. In particular, such a strategy tends to reduce the normativity of social practices to prescriptions and to adopt a model of social practices which is eventually modelled on abstract game rules and eventually loses grip on the thick, habitual structure of social interaction. To my mind, some of these problems stem from the fact that the lexicon of normativity is not neutral, but rather is theory-laden and reflects some assumptions which are rarely brought into focus and which are hard to detach from it. In particular, the way the notion of normativity is nowadays currently used, involves a meta-theoretical assumption which tends to subsume under a particular category of norm – modelled on prescriptions (shadowing juridical norms) – a bunch of heterogeneous phenomena and notions such as criteria, rules, principles, ideals, values, juridical norms, customs, and uses. This may or may not imply a categorical fallacy or some sort of normative reductionism. This is a problem which is never discussed in contemporary normative thought and which deserves attention but that we cannot solve here. However we decide to answer this problem, this is not an innocent move and has some price as for the way we frame social phenomena once we implicitly adopt it.

But how is it that the jargon of normativity has become so preponderant in contemporary critical theory? After all, this is a notion which did not have any significant role in the tradition of critical theory. For sure, if we were to follow an internal route, Habermas' confrontation with the criterial under-determination of the first-generation Frankfurt school would play a major role here, together with Habermas' and Honneth's confrontation with Rawlsian political philosophy, whose normative orientation has somehow hegemonized the debate in social and political philosophy in recent years. Still, there is here a wider story to be told, since the industry of normativity is nowadays expanding into many other fields of philosophy, including epistemology, semantics, ontology and other disciplines. The point is not to deny that the focus on normativity may not reveal previously unseen phenomena and have no intellectual import. But for those who are interested in critical theory it is particularly important to reflect on the theoretical, the social and the ideological assumptions underlying the notions we use. For this reason, it is also important to reflect on whether the jargon of normativity doesn't have some ideological aspects. It is here quite telling that, while neoliberalism progressively deregulates every form of social behaviour, disembedding worldwide forms of life, in philosophical theory an anthropological model is on the rise in which human behaviour and social practices are depicted as essentially normative – the picture of a human being as a normative being. Even if this normativity is not substantively conceived and left contentless – as something to be historically and immanently determined – here a sort of anthropological necessity is posited which has some analogy with the naturalization of the laws of the market in capitalism and in classical political economy. Jaeggi herself describes neoliberalism as a process of disembedding and denormativizing, which produces its own normativity, that is, a model of pluralism based on the absence of a specific ethos (the ethos of ethical abstinence).<sup>39</sup> But we may suspect that the normativity of neoliberalism also involves normative thought and its more or less explicit anthropology, which could serve as an ideological screen: while the world is violently being denormativized, we are satisfied with our self-

image of normative beings. This may be too harsh a charge, but the suspicion is legitimate that the normative mantra in contemporary social thought often functions as some sort of theoretical compensation for the absence of effective critique, as if by using the jargon of normativity one were reassured to have a critical attitude, and exonerated to exercise it on some concrete object.

This may suggest that a wise move for a critical theory which reflects upon the presuppositions of social critique, could be to exert some normative abstinence, that is, try to step away from the normative jargon which is nowadays becoming hegemonic, and which reveals itself laden of not controllable theoretical implications and maybe of some ideological function. Why not try to adopt different vocabularies to re-describe both social phenomena and the critical enterprise? Rather than balancing between the normative and the anti-normative position, critical theory could try to go beyond the normative/anti-normative divide. Since such a divide is to a great extent shaped by the meta-theoretical implications of the notion of normativity which is either endorsed or rejected in the debate, then changing vocabulary could be a way to free ourselves from such a theoretical impasse. When confronted with the question of the socio-ontological constitution of social practices, the Hegelian and Marxist tradition of critical theory could offer here some alternative insights. In particular, the fundamental weight of socio-ontological constitution is played by notions such as “second nature”, “subject”, “objectification”, and “negativity”. Norms still play a role in social constitution, but this is a derivative one, grounded in more basic ontological notions (the spheres of Right, morality, and ethical life, cannot be understood apart from the fact that they are customary objectifications of the will). Hence, their foundational weight bears on their habitual and material constitution, which can be anchored through the objectification of subjectivity in a multiplicity of ways (including constitutive rules as a specific way of objectification of dispositional structures of subjectivity). This could offer a more pluralistic alternative to the sort of monism of social constitution which in the end is the result of the prevalence of normativism in critical theory.

## Notes

1. Jaeggi, “Towards an Immanent Critique,” 15.
2. Jaeggi, *Kritik von Lebensformen*, 94–135.
3. Jaeggi, “Towards an Immanent Critique,” 18. Cf. Jaeggi, *Kritik von Lebensformen*, 96.
4. Jaeggi, “A Wide Concept of Economy,” 9.
5. Jaeggi, “Towards an Immanent Critique,” 19. Jaeggi, *Kritik von Lebensformen*, 100–101.
6. Jaeggi, *Kritik von Lebensformen*, 97.
7. *Ibid.*, 151.
8. Jaeggi, “Towards an Immanent Critique,” 28.
9. Jaeggi, *Kritik von Lebensformen*, 139.
10. Jaeggi, “Towards an Immanent Critique,” 18.
11. Jaeggi, *Kritik von Lebensformen*, 121.
12. *Ibid.*, 122–3. Jaeggi’s notion of “inert bundles of practices” implicitly refers both to Sartre’s notion of the practice-inert and to Bourdieu’s hysteresis.
13. Jaeggi, “A Wide Concept of Economy,” 14. Cf. *Kritik von Lebensformen*, ch. 5.
14. The form of normative essentialism Jaeggi’s work endorses seems to me to be of a different kind to the sort of Aristotelian and Hegelian normative perfectionism Heikki Ikaheimo understands under this label in his “Holism and Normative Essentialism”.
15. Cf. Hauriou, “La theorie de la institution”.

16. Jaeggi, *Kritik von Lebensformen*, 167–8.
17. Here Jaeggi combines Rawls' notion of "stage setting rules" – cf. Rawls, "Two Concepts of Rules", 26 – with Searle's notion of constitutive rules understood along the form "x counts as Y in C" – cf. Searle, *The Construction of Social Reality*, 43.
18. Jaeggi, "Towards an Immanent Critique," 35.
- 455 19. See Jaeggi, "Kritik von Lebensformen," 158. Von Wright, *Norm and Action*, 15.
20. Jaeggi, *Kritik von Lebensformen*, 145.
21. Jaeggi, "A Wide Notion of Economy," 17.
22. Jaeggi, *Kritik von Lebensformen*, 101.
23. On the notion of "autonomous normative systems" see Raz, *Practical Reason and Norms*, 117.
- 460 24. For a criticism of the understanding of social practices in terms of game-like and constitutive rules, see also Giddens, *The Constitution of Society*, 18–19, and Thompson, *Life and Action*, 178–89.
25. Cf. von Wright, *Norm and Action*, 8–9.
26. Jaeggi, *Kritik von Lebensformen*, 154.
27. Cf. Bourdieu, *The Logic of Practice*, 53.
- 465 28. Jaeggi, *Kritik von Lebensformen*, 164.
29. *Ibid.*, 125–6.
30. Hampshire, *Public and Private Morality*, 23–56.
31. Jaeggi, *Kritik von Lebensformen*, 127.
32. There are a lot of contrasting theories on the proper function of money, and please note that Searle's formula "X counts as Y in C". For instance "Bills issued by the Bureau of Engraving and Printing (X) count as money (Y) in the United States (C)" (*The Construction of Social Reality*, 28) does not alone determine this function, since it just tells us what it takes to have a certain status in certain context – bills of paper in the United States, pelts in Medieval Finland – but does not yet specify the functional meaning of that status (see Hindriks and Guala, *Institutions, Rules, and Equilibria*).
- 470 33. Jaeggi, "A Wide Concept of Economy," 17.
34. *Ibid.*, 25.
- 475 35. Jaeggi, *Kritik von Lebensformen*, 101.
36. *Ibid.*, 135.
37. Jaeggi, "Rethinking Ideology," 63.
38. Cf. Haslangher, *Critical Theory and Practice*, 40–6.
- 480 39. Jaeggi, "A Wide Concept of Economy," 18–21.

## Disclosure Statement

Q4 No potential conflict of interest was reported by the author.

## Notes on Contributor

485 *Italo Testa* is an Associate Professor at the University of Parma, where he teaches Theoretical Philosophy, Critical Theory, and Social Philosophy. His research interests include German Classical Philosophy, Critical Theory, Pragmatism, and Social Ontology, with a focus on the notions of habit, second nature, and the theory of recognition. Among his books: *La natura del riconoscimento* (Mimesis, 2010), *Teorie dell'argomentazione* (Bruno Mondadori, 2006), *Ragione impura* (Bruno Mondadori, 2006), *Hegel critico e scettico* (Padova 2002). He has edited *I that is We, and We that is I. Perspectives on Contemporary Hegel* (Brill, 2016), a collection of essays of Th.W. Adorno, *La crisi dell'individuo* (Diabasis, 2010), and is the editor of *Habits. Pragmatist Approaches from Cognitive Neurosciences to Social Sciences*, in preparation by Cambridge University Press. His articles on social and political philosophy have appeared on *Constellations*, *Philosophy and Social Criticism*, *Critical Horizons*, *International Journal of Philosophical Studies*, *European Journal of Pragmatism and American Philosophy*.

490

495

**ORCID**

Italo Testa  <http://orcid.org/0000-0001-5232-6254>

500

**Bibliography**

Bourdieu, Pierre. *The Logic of Practice*. London: Polity Press, 1990.

Giddens, Antony. *The Constitution of Society. Outline of the Theory of Structuration*. London: Polity, 1984.

Haslangher, Sally. *Critical Theory and Practice*. Amsterdam: Koninklijke Van Gorcum, 2017.

505

Hauriou, Maurice. “La théorie de l’institution et de la fondation.” *Cahiers de la Nouvelle Journée* 4 (1925): 2–45.

Hindriks, Frank, and Francesco Guala. “Institutions, Rules, and Equilibria: A Unified Theory.”

**Q5** *Journal of Institutional Economics* 11, no. 3: 459–480.

Ikaheimo, Heikki. “Holism and Normative Essentialism in Hegel’s Social Ontology.” In *Recognition and Social Ontology*, edited by Arto Laitinen and Heikki Ikaheimo. Leiden: Brill, 2011.

**Q6**

510

Jaeggi, Rahel. “A Wide Concept of Economy: Economy as a Social Practice and the Critique of Capitalism.” In *Critical Theory in Critical Times: Transforming the Global Political and Economic Order*, edited by Penelope Deutscher and Christina Lafont, 160–180. New York: Columbia University Press, 2017.

Jaeggi, Rahel. *Kritik von Lebensformen*. Berlin: Suhrkamp, 2014.

515

Jaeggi, Rahel. “Rethinking Ideology.” In *New Waves in Political Philosophy*, edited by Boudewijn Paul de Bruin and Christopher F. Zurn, 63–89. New York: Palgrave-Macmillan, 2009.

Jaeggi, Rahel. “Towards an Immanent Critique of Forms of Life.” *Raisons politiques. Revue de théorie politique* 57 (2015): 13–29.

Rawls, John. “Two Concepts of Rules.” *The Philosophical Review* 64, no. 1 (1955): 3–32.

Raz, Joseph. *Practical Reason and Norms*. Oxford: Oxford University Press, 1999.

Searle, John. *The Construction of Social Reality*. New York: The Free Press, 1995.

520

Thompson, Michael. *Life and Action. Elementary Structures of Practice and Practical Thought*. Cambridge, MA: Harvard University Press, 2008.

von Wright, George Henrik. *Norm and Action: A Logical Inquiry*. London: Routledge and Kegan Paul, 1963.

525

530

535

540