

Rethinking Self-Responsibility: An Alternative Vision to the Neoliberal Concept of Freedom

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Abstract

In current societies, the freedom of the individual is at the center of mainstream public and political debate. For neoliberals, the individual is conceived as an unattached, self-responsible market player. However, this perspective has highly destructive consequences for societies. We contrast this conception of the individual with that of Durkheim, endorsing Durkheim's. Our thesis is that the neoliberal notion of the individual, freedom, society, and the State rejects any idea of responsibility—of one individual toward others, of the State toward individuals, and even of individuals toward themselves—emphasizing the absolute autonomy of the individual. For neoliberals, society is an environment in which a new kind of individual is formed, whose *modus vivendi* is focused on self-entrepreneurship and the obsessive acquisition of resources to achieve success in a competitive system. In contrast, Durkheim highlights the moral nature of society and the reciprocal obligations of individuals. For him, the individual is part of the State, not against it, and, consequently, he considers neither the individual nor the State as subordinate to economic freedom and the needs of the market. Thus, Durkheim emphasizes a social vision with regard to freedom, justice, solidarity, and the responsibility of the individual and the State based on his perception that human behavior operates within particular fields of action that are formed by various social engagements.

Keywords

neoliberalism, Durkheim, State, individual, freedom, responsibility

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Introduction

In this article, we propose and analyze a theoretical alternative to the concept of the individual and self-responsibility as promoted by the current of thought known as “neoliberalism” (Foucault, 2008; Harvey, 2007). We exploit the Durkheimian perception according to which the individual, rather than opposing the “social,” merges with it; thus, rejecting the neoliberal idea that freedom, solidarity, and therefore responsibility, aided by the State, originate preeminently from individual circumstances. Our approach reevaluates Durkheimian thought from the perspective of his reflection on a “just society” (Durkheim, 1950/2003), a concept revived recently by contemporary scholars (Callegaro, 2015; Callegaro & Marcucci, 2016; Karsenti, 2006, 2014; Pendenza, 2014, in press; Stedman Jones, 2001), and utilized to dismantle a number of theoretical pillars of neoliberal thought. We will attempt to show the extent to which the neoliberal concept of society, based on the principle of “absolute autonomy of the individual,” disregards any reference to the social origin of responsibility and its inherent moral obligation toward others. For the neoliberals, “freedom” is synonymous with “market freedom” and, precisely because of this, they conceive of society as a place where new individuals are shaped whose *modus vivendi* is based on self-entrepreneurship and on encouraging the acquisition of resources in the interest of personal success in a competitive regime. In contrast, we can trace in Durkheim’s thought a credible alternative to the neoliberal concept, starting from the fact that for this scholar, being deeply political, freedom cannot exclude “the other”—conceiving, as he does, the individual as a moral entity that, like society, develops historically, and is generated from it. In short, the Durkheimian individual—as opposed to the neoliberal individual—is the product of society and is defended by the State, which infers the demands of society and promotes moral development, thus highlighting its “social” element. At the same time, Durkheim’s concept of the individual captures the social utility of reciprocal obligations, and accounts for the social nature of freedom, targeting the limits of neoliberal thinking concerning the way we live together in society.

Self-Responsibility, State, and Negative Freedom in the Neoliberal Era

The principle of self-responsibility can be traced to the early 1970s, when welfare policies began to be considered as being the cause of a lack of individual responsibility (Fraser, 2017; Fukuyama, 1992; Putnam, 2000; Streeck, 2014). The neoliberals, who were the first to advocate the principle, believed that it was precisely the security provided by the welfare state that deterred individuals from improving their own living conditions (Dardot & Laval, 2013). Starting from that time, action was concentrated on rejecting the accepted *doxa*, promoting instead the idea that the individual, far from being a “product” of the surrounding environment, is responsible for his or her own destiny, and any activity is guided by a spirit of competition (Sennett, 2003). This is the case, for example, in the sphere of consumerism, where, for some time now, along with the traditional economic and cultural reproduction of capitalism, the individual

has learned to socialize through the mechanism of competition (Foucault, 2008) and in a logic of self-help (Dardot & Laval, 2013). In other words, the individual does not have, or should no longer have, any solution other than to help himself, becoming an entrepreneur of his own future and learning to live an existence spent in preventing or managing risks and their consequences (Beck, 1992; Gilbert, 2002; Sennett, 1998). Having sole responsibility for his own destiny, the individual, according to this *new doxa*, owes nothing to society; on the contrary, society, for him, is only an obstacle to be removed for the sake of the proper development of his personal freedom.

These perceptions, originally formulated in the 1930s and 1940s (and now dominant) were discussed at the Lippmann Symposium, organized in 1938 by Louis Rougier and a group of liberals concerned about the advance of socialist doctrines (Dardot & Laval, 2013; Foucault, 2008; Harvey, 2007). Deriving from the need to theoretically reconstruct liberal doctrine and to introduce a policy limiting the disadvantages of *laissez-faire*, the debate contributed to a reinvented liberalism, or the so-called “new liberalism” (Dardot & Laval, 2013). Foucault (2008), who first analyzed the discourses of the Colloque, realized their importance for the history of modern and contemporary neoliberalism by virtue of their wealth of different theoretical positions, originating respectively from traditional liberalism, from the ordoliberalism of Röpke and Rüstow, and from the theories of exponents of the Austrian School, Hayek and von Mises in particular. At the same time, Foucault reminds us how the participants of the Colloque had already discussed a self-regulating market, whose course was not to be hindered by State intervention or by any kind of moralism. In that context, with the formula “catallactic competition,” Hayek and von Mises imagined and described a society based on self-determination and with entrepreneurship as its mode of execution (Hayek, 1948/1958; von Mises, 1998). The outcome of such ideas, later mediated between German ordoliberalism and American neoliberalism, gave rise to the anarcho-liberalism of the Chicago School of Milton Friedman fame. After the postwar period, due to *force majeure*, capitalism was obliged to live with the policies of “embedded liberalism” imposed by the State—such concepts have found concrete application in societies, becoming hegemonic today (Boltanski & Chiappello, 1999/2007; Castel, 2003; Harvey, 2007).

Although described by many scholars as a completely renewed socioeconomic model, neoliberalism has many characteristic elements in common with traditional liberalism—above all, the centrality of the individual and the self-regulating function of the market, which in the case of neoliberalism are, however, presented as radicalized. What makes them different, and justifies the prefix “neo,” is the role played by the State. For both current liberal and neoliberal thought, the individual is born with innate or presocial rights, which society can at most shape, but never create. This is the case for Kant, a leading exponent of liberalism, for whom the individual is endowed with an a priori moral personality and so is an object of respect both in the civil and in the natural State. To prevent violation of these natural rights, the presence of the State is fundamental. Its function, in the traditional liberal perspective, must be limited to the management of a “negative” justice, that is, to eliminating all that precludes individual freedom. Such a function, while being reaffirmed in the revised version of

liberalism, is nevertheless extended and reinterpreted. For neoliberalism, the market certainly remains the only mechanism capable of guaranteeing the freedom of the individual, who remains the protagonist; at the same time; however, the State, transcending its “night watchman” role, assumes an active function of individual development. For the neoliberals, the State, as guarantor of welfare, must be transmuted into a handmaiden of the market. Consequently, they consider it necessary to redefine State competences and, in particular, its relations with the economy, advocating not the disappearance of the State, nor much less intervention in public affairs, but rather that the State must support (financial) market policies, adopting a system of adequate rules. The State itself thus becomes neoliberal, an organism legitimized by the goal of free market protection (Dardot & Laval, 2013; Gallino, 2015, 2016; Harvey, 2007; Streeck, 2014).

This theoretical conception of the State was firmly supported in the 1970s by the anarcho-liberals of the Chicago economic school, and in particular by Milton Friedman (1962/1982, 1993). In his *Capitalism and Freedom* (Friedman, 1962/1982), Friedman harshly criticizes the State, guilty, in his view, of governing society in a standardized way and of failing to satisfy individual interests. Friedman maintains that government is a useful tool only when it allows people to pursue their individual ends. This is possible, he explains, only if it embraces two principles: First, to limit itself “to preserve law and order, to enforce private contracts, to foster competitive markets” (Friedman, 1962/1982, p. 2) and, second, to move positively toward decentralization (Friedman, 1962/1982). As concerns the first principle, the importance (albeit limited) attributed by Friedman to government—relative to the pursuit of individual objectives is evident, just as the difference clearly emerges between his ideal conception and the *laissez-faire* approach of the guardian State. For Friedman (1962/1982),

the existence of a free market does not, of course, eliminate the need for government. On the contrary, government is essential both as a forum for determining the “rules of the game” and as an umpire to interpret and enforce the rules decided on. (p. 15)

From the second principle, we grasp Friedman’s antagonism toward planned systems such as communism, which are unable to cope with a variety of individual interests and are guilty of exploiting their authority in imposing their own point of view (Friedman & Friedman, 1980).¹

In conclusion, for the neoliberals, what must ultimately be guaranteed by the (neoliberal) State is essentially “negative freedom.” Consequently, a society made up of the sacrifice of interests is, for neoliberal thinkers, an illiberal society, as it denies the native freedom of the individual. In believing that freedom can only be achieved outside society, the advocates of “negative freedom” exclude the importance of the community for individual development. Therefore, if freedom manifests itself only outside, that is, as opposed from within society, then the task of the State is to promote a type of freedom that makes the individual feel “freedom from” rather than “freedom to” (Berlin, 1969): freedom from moral rules, from the State, from the physical and/or psychological interference of other individuals, from obligations

toward the community as a whole. But, one might ask, how sustainable is a theory by which individual development increases in parallel with the process of weakening social forces and State functions? And, again, how does the excessive load of responsibility that the individual is subjected to today affect his or her empowerment? To answer these and other questions, however, we must first test the validity of the relationship drawn by the neoliberals between freedom, envisioned as absolute, and the empowerment of the individual. This will lead us to consider a different theory of freedom, embedded in Durkheim's political sociology, which, we believe, confirms the need for an alternative process of responsible development of the individual, with the complicity of the State.

Positive Freedom in the Neoliberal Era: What Kind of Responsibility?

It must be stated that when it comes to responsibility, the reference to freedom is inevitable; the one cannot exist without the other—so much so that there is no equivalent of individual responsibility in ancient societies, where the idea of a free subject that breaks the deterministic laws of nature is either absent or weak. Specifically, an action can be defined as “responsible” only when it is intentionally and voluntarily completed by an individual in full possession of his or her mental faculties. To be responsible, therefore, we must first have “freedom to” act—which means that responsibility depends on the development of society and the kind of freedom that the State supports. As we have already stated, for the neoliberals the State has only to promote negative liberties (“freedom from”), while the driving force for the development of positive freedom (“freedom to”) must come from the market. Therefore, the market should be a substitute for society, in the past the undisputed custodian of “humanity” but from which, now (society), it definitely seems to have distanced itself (Donati, 2009). For neoliberals, it is the market that produces the spirit of enterprise (i.e., entrepreneurship)—a form of self-government, thanks to which the individual can give free rein to his entrepreneurial instincts (Dardot & Laval, 2013). Unlike Schumpeter (1942), who considered the entrepreneur as an innovator, the neoliberals believe that anyone, potentially, can, and must, become an entrepreneur. From this point of view, pure market spirit does not need any initial endowment, since success depends only on the ability to sell goods at a profit. The entrepreneur is the one who, through marketing, succeeds in collecting more information than others do; he is defined by his ability to move goods better than others can (Dardot & Laval, 2013). Freedom of action thus becomes the possibility of experimenting, correcting, learning, and adapting within the marketplace (Dardot & Laval, 2013). It is not by chance that the representatives of the Austrian School—Kirzner and von Mises in particular—considered the market a process of self-constitution (Kirzner, 1973; von Mises, 1998). In his *Human Action* (von Mises, 1998), for example, von Mises deals with individual choice—that of the individual–consumer. According to his vision, the individual, in a state of autarchy, is, by nature, capable of carrying out market actions. The market then, due to its ability to

rationalize choice, can even assume the role of training agent. In other words, for von Mises, the individual, is able, albeit gradually, to determine market prices and laws, so that the market, in his view, takes the form of a constantly changing “social body” “that results from everyone’s active participation” (von Mises, 1998, p. 312).

In this perspective, von Mises compares the market with democracy. If it is assumed (and acknowledged) that citizens have the ability and the sovereignty to judge the conduct of government, then why—asks von Mises—should the same not apply to consumers in the market, given the extent to which they determine it? Consequently, by his reasoning, every penny spent by the consumer is equivalent to a vote in a democracy (von Mises, 1998). Moreover, unlike in a democracy and in a way superior to it, von Mises observed in the market more attention being addressed to the desires and needs of minorities, given that manufacturers were not able to exclude them. In other words, as in a parliamentary democracy, the representatives are elected by the citizens, so, in a market regime, for von Mises (1998), entrepreneurs are the agents of the consumers, and with a far more relevant role. Consumers assign to manufacturers, through their purchasing or not purchasing of goods, their rightful place and weight in society. Unlike “biological competition,” in which the natural rivalry between animals in the search for food is “hostile,” for von Mises (1998, p. 274), “social competition”—as a result of the social cooperation system in the division of labor—is, rather, the result of participation and mutuality. Social competition, which von Mises defines as “catallactic,” is, however, only possible when the market does not suffer external interference and when everyone has the opportunity to act freely in relation to objectives of economic and social success. Through their offering of increasingly competitive products and services, retailers attempt to eliminate their rivals, while buyers, in turn, are willing to offer more in exchange and to marginalize those who do not have the same opportunities (von Mises, 1998). In other words, with catallactic competition, man, the agent, influences the market and this, in turn, retroacts on his actions. Individuals condition the market depending on the presence of unsatisfied needs, and, in so doing, become potential entrepreneurs looking incessantly and obsessively for self-affirmation.

However, what kind of responsibility can derive from a society in which positive freedom comes from the market as the promoter of purely individual interests?² After all—and Jonas (1985) is a mandatory point of reference here—man’s vulnerability and precariousness are revealed to be a real ethical resource, as they show his finitude and willingness to be linked to others. In other words, we are moral precisely because we are vulnerable and precarious, that is, nonindependent but, rather, relational beings (Donati, 2009; Vergani, 2015). Our neoliberal society, regulated by the principle of self-sufficiency, denies this relationality of human beings. Far from being described as relational, in this type of society individuals are considered as independent beings, capable of providing for themselves without the help of others. This has led to a process of crumbling that affects not only the social system itself but also the ethical principles on which it is based. In this order of things, being responsible is no longer a duty and, in some cases, is no longer even possible.

For neoliberalism, the success of individuals depends solely on their ability to gather more information about the market, and so to act with competitive advantage. Nevertheless, can a responsible action be defined as being the result of a calculation? Certainly no action could be defined as responsible if carried out in total ignorance (Weber, 1918/2004). In this case, we would speak of a “venture” and the act in question would be deemed irresponsible. Likewise, however, we cannot speak of “responsibility” if the effects of our action are merely calculable. In this event, there would no longer be any assumption of responsibility, but only the application of calculation (Derrida, 1995). Moreover, the perpetrator of such an act could even be subject to substitution: anyone could perform it, thereby destroying the singularity of the individual. This is an interesting point if we consider how close today is the relationship between conformism and irresponsibility. Specifically, the transition from a repressive society characterized by a large number of prohibitions, to one marked by hyperstimulation and by the principle of performance has, according to various scholars, produced neurosis, guilt, and inadequacy (Beck, 1992; Giddens, 1990; Sennett, 1998, 2003). The isolated individual, obsessed by constant demands to perform, spontaneously reverts to a specific kind of conformism characterized by sequential differentiation (Vergani, 2015), in which stereotypical models emerge that produce different characters, but in series. In this order of things, man, identified with social roles that correspond to economic performance, is robbed of his inner self and, therefore, of his capacity to be responsible (Vergani, 2015). If, in fact, it is difficult to define the uniqueness of the subject, who will the owner of an action be, and who will be responsible? We therefore inevitably return to our initial question: What kind of positive freedom does the market promote in a neoliberal society? Since such freedom is not “enlightened,” it is difficult for it to promote responsibility. Some scholars consider it even interwoven with compulsion. Han (2015a, 2015b, 2017), for example, defines the current society as a “society of performance,” in which citizens have freed themselves from the external dominion of power, making them “subjects of performance” and no longer “of obedience,” but not, for this, any freer. In such a society, individuals are, rather, hostage to voluntary constriction in order to maximize performance up to the point of self-exploitation (Han, 2015a). In this new order, constraint does not give way to freedom, but merges with it.

In short, affirming, as the neoliberals do, that positive freedom derives from the market means maintaining that the individual is free to act always and only within economic contexts, established by the market itself. In our opinion, this means reducing the spectrum of signification of the concept of freedom, flattening it out on that of the market and, consequently, *placing great limits on the development and diffusion of the principle of moral responsibility*. This is the reason why we believe it necessary to broaden the semantic field of the concept of freedom. Hence, in our view, the intellectual, moral, and cultural maturity of man is the direct result of the relationship between the individual and the social, while ethics itself is always immersed in a social context and is the product of a collective culture (Donati, 2009). Just like individual liberty, so ethical principles, including responsibility, are not at all *causa sui* the outcome of a process of social construction. Durkheim, on this point, seems more modern

than ever, having reflected at length on the relationship between the individual and society. Based on the assumption that individuals are the product of the society in which they live and that their freedom depends on the State that conforms to their moral development, Durkheim proposes a theoretical alternative to the neoliberal concept of freedom, useful both to highlight the flaws of that concept and to rethink the different ways of being an individual in society.

Self-Responsibility: An Alternative Vision

Of freedom Durkheim speaks very little, and even less of individual responsibility; however, a definition for reconstructing and interpreting responsibility derives above all from his theory of the State (Durkheim, 1973b, 1958/1986, 1950/2003, 2014). For our purposes, it is from the remit that Durkheim (1950/2003, p. 69) attributes to the State—“to persevere in calling the individual to a moral way of life,” even before defending the borders or the domestic market—that we note the complicity between the State and society in determining the individual and his freedom (Giddens, 1986, 1995; Lukes, 1973; Stedman Jones, 2001). Durkheim maintains that calling the individual to a moral way of life is the State’s principal function, its internal function. This is flanked by a second and very important function, the defense of the national community from external aggression—a function destined, however, to be limited over time (Durkheim, 1950/2003).

Conceptually, for Durkheim (1950/2003), the State is an authority established and exercised within a differentiated and pluralistic society, led by a distinctive group of officials who govern the community with the highest degree of consciousness and insight. Consequently, it is at this level, the highest possible, that the question arises of civic morals, or in other words, the mutual obligations between citizens and State. Although Durkheim speaks of morality as a general way of behaving in the sphere of human relations, and therefore as being of a rational and universal character, it should be considered as something that both binds an individual to the principle of legitimate authority deriving from belonging to a relevant group, his “duty,” and inspires satisfaction in striving toward a collective purpose, “good” (Durkheim, 1925/1973a, p. 96). In other words, morality embodies the requirements and desires reminiscent of those deriving from the worship of a sacred object, to which the moral act can, in essence, be traced (Durkheim, 1953/2010). As we have seen, the State, for its part, has the duty to “think reflexively”—at the highest level at which a political society envisages itself—by means of special representations, and to govern the community accordingly. The State is not merely a spectator of social life, but “the very organ of social thought” (Durkheim, 1950/2003, p. 51) and one that is extremely specialized. Far from advocating one or another formal doctrine, the State, in Durkheim’s view, has a specific remit—to *enhance the moral nature of the individual*, following the course of history. In this context, Durkheim maintains, the State exerts over its individual citizens “peace loving and moral” action—the outcome of the evolution of advanced societies—to support and promote the cult of the individual. Durkheim believes this to be the new civil religion of society (Callegaro, 2012; Filloux, 1990; Pickering, 1984; Prades,

1990)—a cult that takes shape when man is no longer specifically considered “as such” but, rather, *in abstracto*, that is, elevated to the highest possible ideal plane. Moreover, such a remit is not considered by Durkheim to be in contrast with the increase in and differentiation of State functions, since both are the effect of the same historical process to which society is subjected, that is, individualism. If it is true to say that moral reality nowadays is effectively the individual, it is also true—Durkheim maintains—that “it is [the State] that must serve as the pole-star for public as well as private conduct” (Durkheim, 1950/2003, p. 56). Hence, the first duty of the State is to serve as society commands, or to *positively support the freedom of the individual*. This conception of freedom is diametrically opposed to that of the neoliberals. Identifying the characteristics of the concept is therefore a useful exercise to broaden the spectrum of signification and to go beyond the reduction of freedom to mere “negative freedom” or freedom of the “market.”

Durkheim considers the individual and society as two distinct entities, with different characteristics and needs, but having, at the same time, strongly intertwined destinies. For Durkheim, the individual is the “product” of society and of the morality that it diffuses, with the State working to promote the individual’s full development, together with his rights and freedom. Thus, on the one hand, we have the individual, who emerges in Durkheim as an autonomous and moral entity, today translated into the extension of individual rights as society becomes more complex and the division of labor advances; on the other hand, rights exist that are not innate—in opposition to neoliberal thought—but are acquired from society itself. Durkheim’s concept is that society consecrates and deifies the individual, artifact of the State. In the State, Durkheim sees not only the foundation and the safeguarding of such rights but also as an essentially liberating function for the individual, so that, for Durkheim (1950/2003, p. 57), “the stronger the State, the stronger the individual.” The presence of the State is a necessary condition for the possibility of moral individuality, since, he points out, “it is through the State, and the State alone, that [individuals] have a moral existence” (Durkheim, 1950/2003, p. 64), provided that such power is offset by that of the secondary groups—an indispensable condition for individual emancipation. Thus, for Durkheim, the State has the remit of promoting and protecting man and his rights, while the secondary groups tend to limit the extent of the State’s power and are, in turn, limited by its coercive power; it is from this mutual tension, then, that individual freedom is born.

From the above considerations, it can be said that, for Durkheim, the development of the individual is a historical fact, not established by declaration or will, but only after society has organized itself in such a way as to achieve stability and durability. The individual is a *desideratum*, remaining so until conditions exist for it to become a reality—a theory that Durkheim (1950/2003) has always maintained, affirming that “man is man only because he lives in society” (p. 60). This means that the emergence of the individual, of individualism, and therefore of moral individualism follows phases of chronological succession and is not in any way the fruit of an a priori and dogmatic definition.³ For Durkheim, the individual first emerges from the decline of the “supervision of the collectivity,” thanks to the increasing density and diversity of

social interactions. Then, after this initial liberation, “the range of freedom of individual action is enlarged *de facto*, and gradually this situation of fact becomes one *de jure*” (Durkheim, 2014, p. 234), until, at a certain point, the needs of the individual personality “end up by receiving the consecration of custom” (p. 235). Thus, what was originally experienced as “negative freedom” from the bonds of collective consciousness crystallizes into a positive moral obligation and a “freedom to”—the transformation into “a very active feeling of respect for human dignity, to which we are obliged to make our behavior conform both in our relationship with ourselves and in our relationship with others” (Durkheim, 2014, p. 312). And, as Durkheim (2014, p. 315) maintains, “nowadays no one questions the obligatory nature of the rule that ordains that we should exist as a person, and this increasingly so.” The ethos of this rule is obviously the “religion of the individual,” ethical individualism formalized in human rights and founded on a collective faith in the sacredness of the human person, that no longer opposes the individual to society (Callegaro, 2012; Pendenza, in press).

Clearly, for Durkheim (1953/2010, p. 37), “these rights and liberties are not things inherent in man as such.” Rather, the emancipation of man is determined historically; indeed, it is above all a desire for submission. The individual, writes Durkheim (1953/2010),

submits to society and this submission is the condition of his liberation. For man, freedom consists in deliverance from blind, unthinking physical forces; this he achieves by opposing against them the great and intelligent force which is society, under whose protection he shelters. By putting himself under the wing of society, he makes himself also, to a certain extent, dependent upon it. But this is a liberating dependence. There is no paradox here. (p. 37)

Already in the *Preface* to the *Second Edition* of *The Division of Labor in Society*, Durkheim (2014) pointed out that freedom was not an elementary anthropological datum, but rather a social creation, “itself the product of a set of rules” (p. 9). For him, freedom does not lie in avoiding the constraint exerted by social forces and ties, as liberal thought, and even more so neoliberal thought, would have it, but from the autonomy of action made possible by belonging to society. Thus, the reciprocal self-limitation of individuals presupposes the positive recognition of belonging to the same objective reality (Callegaro & Marcucci, 2016). In elementary societies, the predominance of collective consciousness limited the individual’s range of action. This situation has changed, thanks to the process of social development, but not through the destruction of moral authority but through its change in form. Durkheim recognizes that utilitarians and economists were well aware that the old model of moral solidarity would be undermined during the course of social development, but disputes their not being able to grasp that, in order to work, the new kind of solidarity would have presupposed the moral authority of society. Their mistake was to have treated freedom as a “constitutive attribute of man.” But freedom, man, individual conscience, and opinions are products of history, the outcome of a slow and troubled evolution. Such evolution is supported by social representations and promoted by the State to the extent that

(Durkheim asserts) everything that undermines freedom—such as violence, pressures, and limitations—is experienced by the individual and by the community as a breach of widespread belief. Durkheim sees this element well expressed in, for example, modern norms and contracts.

In this context, the notion of *contract by mutual consent* emerges, expressing an individual morality that acknowledges the rights of the individual in modern societies and the social respect due to human beings. It replaces the archaic *ritual contract*, which requires an external anchorage—normally the relevant gods—to function, and relies, rather, on a public conscience that elaborates normative reflections and expression simultaneously with individual volition and collective regulation (Marra, 2006). The contract of mutual consent is also envisioned by Durkheim as being destined to be replaced by a new and even more current and radical version, now, in the times of mature moral individualism—the *fair and just contract* (Durkheim, 1950/2003). This implies a conception of freedom completely liberated from nature—and, therefore, from natural and liberal rights that reduce man to a monad, detached from any individual social bond—to relocate it in the sphere of collective determination, which itself is the fruit of individual emancipation. With the fair and just contract, justice takes the place of consent. The contract is fair not because it is free from conditions—as the *mutual consent contract* intended—but because it is subject to the general will which claims to evaluate the objective consequences of the commitments undertaken. In effect, it is an ideal type that no longer considers the freedom of individual action but the effect that such action can have on material and immaterial interests. Therefore, for Durkheim, the revocation of the fair contract is considered valid not when the individual is forced to act in a certain way (because in the end, “there is always constraint in any acts we carry out”), but when such acts “cause injury to the contracting party who suffered the constraint” (Durkheim, 1950/2003, pp. 208-209).⁴

The final consideration of what individual freedom represents for Durkheim is that it exists only to the extent that it is configured as a *social freedom*, and only inasmuch as it is also and above all a “just freedom”—freedom which, as stated in *The Division of Labor in Society*, “society has a duty to enforce.” Thus, the meaning that Durkheim attributes to individual responsibility can be grasped. If individual responsibility is to be interpreted as the consequence of freedom only when evaluated in terms of the righteousness of social obligation, then it follows that *responsibility* is never an individual but always a collective concept. The individual acts toward others in respect of socially constituted rules and in line with the demands of society that values individuals as moral beings, both the result of governmental deliberation that imposes limitations and submission acknowledged and accepted in the name of a recognized authority. In other words, for Durkheim, action is never undertaken for mere instrumental reasons and in view of an individual purpose—at least not only for such reasons—but also always in respect of “man’s sympathy for man,” respecting one’s own dignity and that of the other person. Evidently, this different kind of modern obligation denies the neoliberal postulate of action solely for the maximization of individual interest, emphasizing, rather, social justice and solidarity. For Durkheim, in fact, some obligations apparently go beyond merely belonging to a group. Representing the

highest sphere of ethics, they express respect for the person in a general sense. They are the fruit of individualism (and its widespread belief), considered both as undisputed universal values and as reality emerging from society, not given in nature. Yet such individualism, nourished by a collective will, becomes a third element in the relationship between two entities, which alone can legitimize an act as free, as it is considered right, responsible, and respectful of others. Thus conceived, the individual, his freedom, and the responsibility of his actions reject the validity of a neoliberal conception of the individual that could, at this point, be defined as atomistic, instead affirming the value of “person” acting responsibly toward others, and driven by an irrepressible desire of “sympathy for them.” Unfortunately, although Durkheim (1950/2003) believed that the trajectory of society in evolution had now been channeled in an ideal epitomized by the sentiment of “sympathy that man has for man” (p. 298), that is, from social justice, he remained of the opinion that the full development of society had not yet come to fruition and that still more had to be done, above all at institutional level. Who knows whether that realization is finally on the horizon?

Conclusion

In this article, we contrast Durkheim’s theory of the State—as a valid alternative—with that of neoliberal theory prevalent today, to highlight two different concepts underpinning the concepts of the individual, freedom, and responsibility. If, for the neoliberals, the State must limit itself to defending the innate freedom of the individual, for Durkheim, the State has the task of *producing* freedom. For the advocates of neoliberalism, individuals are free from birth and press for the State to defend this innate freedom, thus fostering a purely “negative freedom.” For Durkheim, the individual is the product of society and his freedom is the outcome of the rights that the State produces and spreads; consequently, the State is considered the principal body promoting “positive freedom.” Understanding the difference between such conceptions is fundamental to defining kinds of freedom and, therefore, the responsibility that the State, through meeting the demands of society, in turn promotes. Responsibility and freedom are closely interrelated. In order to be responsible one must be able to exercise one’s own positive freedom. And what if, as in the case of neoliberalism, this is produced not by the State but solely by the market? Unlike the State, the market pushes individuals to overcome the “limits”—so, at least, Hayek (1944/2006) defined them—of moral rules and to act solely according to their own emotions. However, this means reducing the spectrum of signification of the concepts of freedom and responsibility, flattening it out onto the market. In contrast, Durkheim considered it more appropriate to think of the State not as a “guardian” but as a “defender” of an individualism respectful of human dignity that of a symbiotic individual linked with a social entity. For Durkheim, the case is the same for responsibility, assessed according to a vision of the individual as a “social” being, as opposed to an abstract autarchic or even autistic conception. In tracing such a pathway, Durkheim expresses his belief that freedom is not an abstract desire but a concrete reality, and that responsibility is not proof of the ability to succeed but the realization that makes social cooperation possible.

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Notes

1. Both of these principles were already rooted in the thought of the leading exponents of the Austrian School, especially Friedrich von Hayek and Ludwig von Mises, who, since the 1920s, had critiqued planned policies (see Hayek, 1948/1958, 1944/2006; von Mises, 1950, 1922/1951) and by whom, it is evident, Friedman was inspired in formulating his antiwelfare theories (Lamattina, 2016; Mirowski & Plehwe, 2009).
2. There is extensive literature on the possible relationship between market and responsibility, especially with regard to the role that Corporate Social Responsibility plays in this context, that is, how companies undertake to behave in a correct and ethical manner in management, fully respecting society and the environment (see Brammer, Jackson, & Matten, 2012; Kinderman, 2012; Shamir, 2008; Streeck, 2009; Vogel, 2005).
3. Hence, also the belief that “individualism is not a theory: it lies in the region of practice, not in that of speculation” (Durkheim, 1950/2003, p. 59).
4. In Durkheim’s (1950/2003, p. 211) words: “A just contract is not simply any contract that is freely consented to, that is, without explicit coercion; it is a contract by which things and services are exchanged at the true and normal value, in short, at the just value.”

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