

## Hegel's practical philosophy: the realization of freedom

### I

In Hegel's *Encyclopedia* system, what we would nowadays call his practical philosophy is called the "philosophy of spirit." By practical philosophy, we usually mean a philosophical account of the possibility of the distinct sorts of events for which we may appropriately demand reasons or justifications from subjects whom we take to be responsible for such events occurring, or we mean an account of *actions*, and an assessment of what rightly count as such reasons or justifications.<sup>1</sup> The central problem in other words is the status of the condition usually taken as necessary for such a delimitation of a class of events as actions: *freedom*. What is it, is it possible, how important is it?

Such a philosophy of spirit has a specific place in Hegel's systematic enterprise. That system is divided into what looks like the basic or foundational enterprise,<sup>2</sup> a "Science of Logic," or his own version of a theory of concepts and the possibility of conceptual content (an account of all possible account-giving, as it were); and then into a "Philosophy of Nature" and a "Philosophy of Spirit"; or it relies on some argument about why the very possibility of an objective judgment requires just *such* delimited contents, that a successful account must be an account *either* of nature *or* of spirit.<sup>3</sup> (For all their differences, there is a parallel here with Kant's architectonic and the relation between the first *Critique* and the *Metaphysical Foundations of Natural Science* on the one hand, and the *Metaphysics of Morals*, on the other.) Hegel also divides up the domains of nature and spirit in the same way as Kant, as between the realm of necessity and the realm of freedom, or between events for which causes can be sought (which stand under laws, which laws, together with empirical initial conditions, determine a unique future) and actions for which reasons may be demanded (which are enacted because of "conceptions of law").<sup>4</sup> But Hegel's account of the necessity for such a separate realm does not rely on any Kantian claims about the mere phenomenality of nature, the unknowability of things in themselves, and so the permissibility of the practically required assumption that we are uncaused causes,

or radically free and spontaneous. Hegel leaves no doubt that he considers a philosophy which leaves the status of our fundamental claim to respect as rational and thereby free agents “unknowable” unworthy of the name philosophy, and deserving rather to be considered a mere “faith,” or a species of religion.<sup>5</sup>

Finally, various themes in the philosophy of spirit are divided up into philosophies of subjective, objective, and absolute spirit. These correspond roughly to accounts of the possibility of different forms of determinate mindedness:<sup>6</sup> in relation to nature and the objective world; in relation to each other (or the achievement of successful forms of *like-mindedness*); and in relation to what Hegel calls the Absolute, or comprehensive and finally “unconditioned” forms of self-consciousness (religion, art, philosophy). He admits that these separations are somewhat artificial,<sup>7</sup> that their interrelation is much more complex than such divisions will show. (In *The Philosophy of Right*, he even claims that it is only with the account of sociality in the philosophy of objective spirit that the account of mindedness and action is informed enough to begin to look like a theory of human being.<sup>8</sup>)

This is all clear enough on the surface, but Hegel's own account of the possibility of freedom (his case for the distinction between nature (*Natur*) and spirit (*Geist*)), as well as his account of the objective norms of practical rationality (his theory of “objective” spirit), have always been extremely controversial. My hope in the following is that a comprehensive perspective on Hegel's practical philosophy, especially on its more speculative ambitions, might put those controversies in a different light, and might suggest that what Hegel tried to do does not so much answer such criticisms as make clear that the charges are irrelevant, that they presuppose inaccurate characterizations of his project.

## II

I begin with the notorious objections. Although Hegel regularly characterizes his practical philosophy (indeed, his philosophy as a whole) as a “philosophy of freedom,”<sup>9</sup> and although he frequently makes it crystal clear that he considers himself a resolute defender of modernity, his practical philosophy has nevertheless been shadowed by two disturbing accusations of illiberal, even reactionary, elements. The first is the charge of “anti-individualism,” as if Hegel was insufficiently attentive to the modern claims of individual natural right and indeed supposedly believed that individuals themselves are best understood as mere properties, or as contingent, secondary, ultimately unimportant manifestations of what is truly real, which is a supra-individual “ethical substance.”<sup>10</sup> According to this charge, Hegel was an “organicist” about politics, someone who believed that the individual parts of this ethical organism have no more claim to individual standing and intelligibility than a severed hand, a kidney or a lung might

have. Each could only be what it *truly* is within some self-sustaining and supra-individual whole.

The second accusation is the suspicion of some sort of unusual historical positivism, a sanctification of what happens as decreed by a divine providence. "What is actual," so goes perhaps the most famous and most quoted of Hegel's phrases, "is rational," and "what is rational is actual."<sup>11</sup> That is, the events of world history must be understood to be moments of a coherent, intelligible, even rationally necessary development, and the story of this development is the story of "World Spirit" (that supra-individual "ethical substance" again, now writ very large) gradually coming to complete self-consciousness about itself. This is the process that supposedly underlies and is responsible for the major historical changes in philosophical, political, religious, and aesthetic history.

These charges are not without apparent textual foundation. Hegel does sometimes call individuals "accidents" of an "ethical substance,"<sup>12</sup> and does write that, with the successful establishing of such an ethical substance, "the self-will of the individual and his own conscience in its attempt to exist for itself and in opposition to ethical substantiality, have disappeared."<sup>13</sup> And there would appear to be the same basis for the second charge, that Hegel is committed to a wildly implausible historical theodicy. In the "Introduction" to *The Philosophy of World History*, he explicitly calls his investigation a "theodicy, a justification of the ways of God,"<sup>14</sup> and he calls the history of the world "a rational process, the rational and necessary evolution of the world spirit."<sup>15</sup> In the "Addition" (or "Zusatz") to paragraph 377 in the *Encyclopedia* account of "Subjective Spirit," Hegel firmly rejects accounts of history which reduce it to "... a play of meaningless activity and contingent happenings," and insists by contrast that history is ruled by "divine providence."<sup>16</sup>

Yet these quotations, and many others like them, only make clear the challenges to be faced in any interpretation of Hegel. They appeal to notions like "ethical substantiality" that have little historical precedence and clearly depend on a Hegelian (and so markedly revisionist) notion of "substance."<sup>17</sup> And he appears to deny not the claims of individuality as such, but only an extreme notion of a stubborn self-subsistence or "self-will" (*Eigenwilligkeit*) and therewith dangerously dogmatic appeals to private conscience. Moreover, while Hegel appeals often to a notion of divinity, this appeal must also be made consistent with the many passages where he appears to claim a divinization or becoming divine of human being itself,<sup>18</sup> and so relies on no traditional notion of a separate, benevolent deity. Finally, such accusations must somehow be made consistent with passages like the following (from paragraph 482 of the *Encyclopedia*).

... the Greeks and the Romans, Plato and Aristotle, even the Stoics did not have the idea of an actually free will. On the contrary, they thought that only through birth (by being, say, an Athenian or Spartan citizen) or by strength of character, or

education, or by philosophy (the wise man is free even if a slave and in chains), that a person is really free. This idea came into the world through Christianity. According to Christianity, *the individual as such has an infinite value* as the object and aim of the love of God, destined as Spirit to have an absolute relation to God, to have this divine Spirit dwell within him, so that persons as such are destined, or have as their vocation, the highest freedom [my emphasis].<sup>19</sup>

### III

The challenge to be faced is then first of all interpretive, not primarily apologetic. It is profoundly unclear what Hegel could have meant in the passages cited in the objections, given what else he had to say and how inconsistent the rest of his writings are with the meaning ascribed to him in the objections. As suggested, such interpretive challenges can be met only by attempting some comprehensive overview of Hegel's practical philosophy; some attempt to understand the sort of questions these claims are supposed to answer.

There is one issue in particular that ought to guide any such reconstruction. It becomes apparent as soon as one tries to take seriously Hegel's qualification at the end of the Addition to paragraph 2 in the "Introduction" of the *PR*, where he explicitly warns that a "familiarity with the nature of scientific procedure in philosophy, as expounded in philosophical logic, is here presupposed." Such a presupposition is clearly everywhere relevant in the first paragraph of the *PR*, where Hegel proclaims that "[t]he subject matter of the philosophical science of right is the Idea of right – the concept of right and its actualization" (p. 25). He goes on in the Remark to stress that "philosophy has to do with ideas" not "mere concepts," and the issue that separates such treatments is "actuality" (included as a moment in any account of the former, but not the latter, where the question of existence is treated as external, a matter of contingency). And he makes clear that introducing the issue of "actuality" into philosophy is not merely a question about whether a concept does or does not happen to have instances corresponding to it in the real world. If that were true it might sound as if Hegel were qualifying his practical philosophy either by restricting philosophy to an analysis or perhaps rational reconstruction of already existing political and social structures<sup>20</sup> (which is itself a prominent interpretation of the "historical positivist" charge against Hegel) or by immediately restricting any consideration of what ought to be to what is practically possible at a historical time, what is "realistic."<sup>21</sup>

But the relation between "concept" and "actuality" is described in much less familiar and much more speculative terms, terms that recall his caution about scientific or "logical" presuppositions in paragraph 2. For we are told that we must consider the actuality of any concept (where actuality is already distinguished somehow from the mere "existence" (*Dasein*) of instances) only in so

far as the concept “*gives itself* actuality.”<sup>22</sup> This unusual relation between concept and actuality is said not to be “just a harmony, but a complete interpenetration (*vollkommene Durchdringung*).”<sup>23</sup> Since “the idea of right is freedom,” we thus must somehow understand both the concept of such freedom and its “realization” and final actuality, and we must thereby understand how such a concept “*gives itself*” this actuality. (This language is also quite prominent in the “Introduction” to the *Lectures on the Philosophy of World History*, in statements such as “[T]he universal property of spirit is that it actualizes those determinants which it possesses in itself.”<sup>24</sup>)

Understanding such claims is clearly indispensable in any consideration of the accusations noted above, and to any overall assessment of Hegel, for the claim to actuality is at the heart of both problems. The much-criticized idea that freedom is only “realized” in some shared ethical life (*Sittlichkeit*), that one cannot be free alone, but only as a participant in actual social institutions, especially that an individual can only “really” be free in the state, and the claim that philosophy is not about ideals which we must try to approximate, but that it can only retrospectively comprehend the rationality of the “actual,” both depend on how we understand such claims about the status of actuality and how we come to terms with the initially opaque claim that the concept of right, freedom, “gives itself” its own actuality.<sup>25</sup>

#### IV

One has to start at a fairly high altitude to be able to work one’s way to the distinctive claims of Hegel’s practical philosophy. The basic speculative claim – about a concept securing or “giving itself” its own “actuality” – is not, however, given the idealist context in which it is made, as foreign as it might at first sound. It immediately recalls the attempts by Kant, first to defend a unique claim to synthetic a priori knowledge without the rationalist assumption about a necessary identity between the order of thought and the order of being, and second, to argue that there was a practical notion, the “exposition” of which already demonstrated its practical validity, that it was “in actuality” binding, what Kant called the “fact of reason.”

As for the former, Kant’s most “speculative” formulation of the “highest principle of synthetic judgments” already has a Hegelian, concept-giving-itself-content ring to it: “[T]he conditions for the possibility of experience in general [by which Kant means the subjective conditions, the conditions that must be met for a subject to have a coherent, unified experience, accompanied by a continuous ‘I think’] are likewise conditions of the possibility of the objects of experience.”<sup>26</sup> (The Hegelian notion thus might be thought of as a speculative

translation for what Kant called the “constitutive” role of some concepts.) This affinity is even more apparent in Kant’s claim:

But the peculiar thing about transcendental philosophy is this: that in addition to the rule (or rather the general condition for rules), which is given in the pure concept of the understanding, it can at the same time indicate a priori the case to which the rule ought to be applied.<sup>27</sup>

In the practical philosophy, the actuality issue is the question of whether pure reason (or the acknowledgment of pure practical reason’s supreme law) actually “can be practical,” can actually determine the will. This is supposed to be shown “through a fact wherein pure reason shows itself actually [*in der Tat*] to be practical.”<sup>28</sup> This appears to be a claim to some sort of practical undeniability, something Kant thinks can itself be established by appeal to “sound common sense,”<sup>29</sup> but which essentially involves appeal to the very possibility of conceiving of a principle of action devoid of empirical interest and formulated with perfect rational universality. The very entertaining of such a possibility, Kant claims, establishes its *practical* reality. Speaking from the practical or first-person point of view, the very possibility of my awareness of the dictates of a purely conceived practical reason establishes *from that perspective* that I cannot deny that I am subject to such a law and thereby establishes that I can act accordingly. This does not establish that “in reality” I can actually be such a cause (reason is powerless to answer such questions), just that I cannot but so conceive myself, else I try to do something like establish “with reason that there is no reason.” Accordingly the very “exposition” of the notion establishes its reality,<sup>30</sup> and, in his most speculative formulation, the actuality of the moral law cannot be established either philosophically or empirically, but it “is firmly established of itself [. . . *steht dennoch für sich selbst fest*].”<sup>31</sup> He might as well have said that the “concept gives itself its own actuality.”

Hegel, in other words, is also trying to provide an account of philosophical knowledge, independent of experience, not reliant on traditional, epistemologically suspect rationalist assumptions, but which might claim more than “knowledge of the concept” alone, which could claim an a priori knowledge of *content*; or which could determine, independent of experience, that the concept must have such a content. This all involves both a theory of the possibility of content in general – how concepts in their judgmental use and claims to normative authority might successfully pick out and correctly reidentify an aspect of reality – as well as an a priori justification of the validity of certain, universal, non-empirical judgmental claims, claims that all possible content in experience must conform to certain conditions. As in Kant, so in Hegel, the focus is on the possibility of judgmental content, and the claim (greatly expanded and modified

in Hegel) is that a case can be made for the sort of content certain judgments *must* have, that they *do* have such a content, and that such a case does not depend on any claim about the deliverances of our sensory contact with the world, or about what we happen to desire.<sup>32</sup> Given a pure concept of the understanding (e.g., causality) we can determine a priori the experiential content (“for us”) of such a concept (necessary succession according to a rule) and determine that there could be no content of (our) experience not subject to such a rule (the argument of the Deduction and the Principles). Or we could claim that, given a certain concept – the single, universally applicable, practical law of reason – we can, in this case by appeal to the “fact” of reason itself, or by appeal to something like its practical undeniability, establish its “actuality” or validity, that all rational beings are in fact (as Kant says, *in der Tat*) obligated, bound by, such an imperative.

Both aspects of Kant’s case are of course as controversial as anything in Hegel, and, while Kant tries hard to assimilate the theoretical and practical issues within one problematic (he calls the practical problem also a problem of “the synthetic a priori”), that single problematic has not been easy for commentators to make out. But, in these very general terms, Kant and Hegel can be said to share a commitment to a decisive shift in answering the philosophical question about the nature of the link between mind and world, or between reason and sensible interests. A great deal in Hegel’s project, and especially a proper understanding of the speculative language (idea, concept, actuality, etc.) in which his practical philosophy is stated, depends on understanding that for Kant and for Hegel after him, the issue of objectivity, or the problem of actual content, has ceased to be an issue about the correct (clear and distinct) grasping or having of an idea or representation, and has become, most broadly, a problem of *legality*, of our being bound by a rule of some sort that prohibits us from judging otherwise. The problem of objectivity has thus shifted from what the world or ideas or meanings, somehow, as some sort of facticity, won’t let us say veridically about what there is, to the problem of the source of this internal *normative* constraint, our subjection to a rule about what we ought to judge and ought not to judge.<sup>33</sup> In the same sense, nothing about our matter-of-fact attachments, interests, and desires can be said to count as in themselves responsible for, or even on their own as being reasons for, an action occurring. If they do so count, it can be only that a subject has taken them to count thus, and this again cannot be a manifestation of nature without the problem recurring.<sup>34</sup>

Thus the common bond between the idealisms of Kant and Hegel, for all their immense differences, involves their common commitment to a controversial answer to questions like these: that the source of a basic normative constraint in any judging must somehow at some level lie “in us,” either in the nature of the understanding and reason in Kant, or even as results of our own “self-limiting”



activity, our legislating, “positing,” and self-constraining, as in the direction taken by Fichte and followed by Hegel.<sup>35</sup>

Now Hegel makes this point about a priori knowledge in a number of unusual ways in his speculative philosophy. He sometimes refers to objective a priori judgments as “self-determining,” as if any thinker’s attempt to represent an object can be said to “set its own rules,” and this not merely formally, but with the power non-empirically to determine the content of thought. This contentful judging, which is nevertheless free from empirical determination, is sometimes called an “infinite” judgment (at least because it cannot be said to be determined “finitely” or empirically); it is also called (especially when Hegel discusses the determination not to account for all events by appeal to the norms relevant to the explanation of nature, but to introduce the notions of Spirit) “a free judgment.”<sup>36</sup>

This large project, or some version of it (the version just given is controversial) is what must be kept in mind in approaching Hegel’s practical philosophy. The two decisive turning points in that philosophy involve (i) the status of the general notion of spirit itself (what sort of “content” the notion could be said to have, why we should believe that there is any such putative content or what sort of “validity” the notion has, why it could not be explicable “naturally,” and so forth),<sup>37</sup> and then (ii) the case Hegel makes for what he calls the “objective” realization of any such spiritual being, the “rational system of the will” known as the *Philosophy of Right*. In the broadest possible terms, appreciating this approach means that, first, when we start looking for the kind of case that would justify the delimitation of a range of some events as *actions* – that is, try to justify “the objective validity” of the notion, spirit, or establish that freedom is possible – or, second, when we attempt to demonstrate that persons *are* subject to the specific requirements of “right,” and that the notion must finally have a determinate sort of content to function as such a norm (ethical life, or *Sittlichkeit*) – we will not be searching about in the metaphysical or empirical world for the existent truth-makers of such claims. We will instead be looking for the source of what can only be a self-legislated and self-imposed normative constraint. In Kant’s case we would be trying to establish a “transcendental” version of this subjective necessity, appealing to some undeniable feature of any possible experience, or we would be appealing to that rather mysterious “fact of reason,” or some practically undeniable claim of our own reason on us. Part of the story of the relation between Kant and Hegel comes down to Hegel’s deep suspicions of the Kantian strategies just sketched and his decision, again under the influence of Fichte, to take these general claims about self-legislation and self-imposition much more seriously and then to try to work out some theory of the true normative status of such self-legislation. Whereas Kant held out some hope for a “deductive” demonstration of a notion’s or a norm’s “actuality,” or objectivity



or bindingness, Hegel's procedures in all his books and lectures are *developmental, not deductive*.<sup>38</sup> The proof procedure shifts from attention to conceptually necessary conditions and logical presuppositions to demonstrations of the partiality of some prior attempt at self-imposed normative authority (and in his *Phenomenology*, accounts of the experience of such partiality and the "lived" implications of such partiality), and the subsequent developments and reformulations necessary to overcome such partiality. Sometimes these developments are highly idealized, to the point of artificiality; sometimes, as we shall see, they offer a historical reconstruction of actual developments as a way of making this point about partiality and development.

Looking at the Hegelian project this way, of course, leads us to a decisive and somewhat unstable turning point in European or what we now call "Continental" philosophy. At this point Kant's great inventions, like his notion of transcendental subjectivity, or of only "practical reality," and his attempt to reconceive a purely rational philosophy in the face of the collapsing authority of traditional rationalism and the unsatisfying modesty of modern empiricism, are being reconceived in developmental terms, and that means also socially and historically. In this way his self-legislating moral subject is reconceived as much more than a practically necessary idea and is instead animated with a historical life. Thus begins the debate about what philosophy (or normativity) really is if such a move can be made, and how it is different (if it is) from a sociology or anthropology of knowledge (from just what we as a matter of fact have taken to be normatively binding), or even from a historical materialism or a contingent form of life, or the way we simply go on, and so forth. Kant's transcendental deduction and claims about the fact of reason may be obscure or even failures, but it is clear enough what he was trying to do and, given his assumptions, why he had to try. Can a "developmental" account establish that such self-imposed rules and constraints could not conflict with "actuality," because they can be said to constitute the possibility of such actuality, to "give themselves" such actuality? Could a narrative of what we had bound ourselves to and altered end up telling us what "actual" normative commitments we now have? How would one go about showing this?<sup>39</sup>

## V

The question at hand turns on the consequences of reading Hegel's practical philosophy in the light of this sort of systematic ambition, one wherein the Kantian notion of self-legislation is at the center of everything. The first consequence involves the right way to characterize spirit and its "independence" from nature. In what does the insufficiency of appeals to nature in our explanations and justifications consist, and how might understanding that insufficiency help us

understand how spirit “gives itself” its own actuality, in something like the sense suggested above?

Hegel attempts several different sorts of accounts to explain this insufficiency. In his *Phenomenology of Spirit*, he tries to show what the satisfaction of natural desire looks like; how it would be experienced, once experienced in a conflict with other like desire-satisfiers; or how such an imagined “struggle to the death” would only be resolved “naturally” by the death of one of the parties and so with the preservation of a natural or animal satisfaction, or by the experience, given such a conflict, of a new sort of desire, a “desire for the other’s desire,” or a claim of *entitlement* against such a challenge and so a demand for “*recognition*” of such entitlement. The emergence of this experience is what cannot be understood as, again, the manifestation of natural dispositions because *we* must institute what will count as the fulfillment of such a demand. Nothing in nature will so count unless we determine it should. (And so the centrality of self-legislation re-emerges.) There is no particular reason to count some natural fact, like superior courage and strength, as a warrant for such entitlement, unless there *are reasons* to take account of such properties in this normative way. And, Hegel tries then to show, the offering and accepting of reasons requires eventually a mutuality, some claim to genuine authority and so universal acceptability, something not possible in the original Master–Slave relation or its later manifestations. (The paradox Hegel describes has become a well-known element of his philosophy: the Master is recognized by one whom he does not recognize and so is at an “impasse,” cannot “legislate” the norm that secures his claim to entitlement, and undermines his own mastery just by being such a master.) In later manifestations of this attempt, which Hegel imagines as an attempt to legislate collectively a normative structure that would successfully realize both an individual’s particularity in his or her desires and contingent life history, as well as, universally, a like entitlement for all to such satisfaction, similar sorts of “one-sided” tensions or unresolvable conflicts are presented in a developmental form, in an attempt to demonstrate greater and greater success in so doing.

In the *Encyclopedia* context, Hegel also claims that at some stage of complexity, human beings cease to be able to understand themselves, coordinate their activities and account for themselves to each other, by exclusively invoking the explanatory categories of nature (at first, as a hierarchical, teleologically coherent nature; later, as matter, located in space and time and subject to causal law; in both cases as an appeal to a kind of fate or unfreedom or necessity), and must instead explain and hold themselves to account by eventual appeal to practical reasons, justifications, and responsibility inappropriate in the context of nature.

That is, in this *Encyclopedia* context also, this limitation is fundamentally practical and historical, and the thesis is that that sort of claim is philosophically sufficient to answer the questions posed above. At a certain level of organic, and

especially social, complexity the invocation of nature as a reason or warrant ceases to be “appropriate” or becomes *practically* impossible for any subject. (It is thus telling that in *Die Wissenschaft der Logik*, Hegel describes the application of causality to organic and mental life as “inappropriate,” *unstatthaft*.<sup>40</sup>) And so, as Hegel notes in the last paragraph of the *Encyclopedia*, it is “... the self-knowing reason which divides *itself* into nature and spirit,” and so, described this way, “... as the self-division of the Idea into both appearances.” The question must then concern not our grasp of some real ontological divide, but the reasons for our *instituting* or *constructing* such a normative distinction in our dealings with each other. This means that spirit is a self-imposed norm, a self-legislated realm that we institute and sustain, that exists only by being instituted and sustained.

It is in this sense that the story of the development of subjective, objective, and absolute spirit would be understood as a collective historical achievement, a growing capacity by human beings to understand what is required by collective self-determination (or a decreasing dependence on nature and appeals to nature), to understand better that *that* is what they are doing, and so to expand what can be coherently and collectively regulated and directed by appeal to reasons, justifications, and norms. Spirit, understood this way (that is, by taking full account of Hegel’s anti-dualism and his insistence that development is a self-determining development), is thus not the emergence of a non-natural substance, but reflects only the growing capacity of still naturally situated beings in achieving more and more successfully a form of normative and genuinely autonomous like-mindedness. (The greater realization of freedom is then some sort of better, practically realized, embodied understanding of what our responsiveness to and initiation of practical reasons requires, a claim to superiority justified by the practical failure of more restricted appeals.) Understanding Hegel this way both captures best what Hegel actually says about the emergence of Spirit, and does justice to his claim that the development of Spirit reflects the greater and greater realization of freedom, which, as noted, amounts to something like a better responsiveness to, determination by, reason.

Several passages make it very clear that spirit itself for Hegel represents a distinct kind of historical, social achievement, the actual *establishment* rather than mere organic *emergence* of freedom.<sup>41</sup> I quote at length from the most decisive of such passages.

Within our consciousness, the position is a wholly familiar one, and if we consider spirit from it, if we raise the general question of what spirit is, it becomes apparent from its position between the two extremes that the question implies the further question of where it comes from and whither it tends. Spirit has its beginnings in nature in general . . . The extreme to which spirit tends is its freedom, its infinity, its being in and for itself. These are the two aspects but if we ask what Spirit is, the

immediate answer is that it is this motion, this process of proceeding from, of freeing itself from, nature; this is the being, the substance of spirit itself.<sup>42</sup>

Hegel later in this passage invokes the paradoxical expression that spirit is a “product of itself” and that “its actuality consists in the fact that it has made itself what it is.”<sup>43</sup> Hegel is well aware that this is quite a different, non-standard way of putting the issue and the nature/spirit duality:

Spirit is usually spoken of as subject, as doing something, and apart from what it does, as this motion, this process, as still something particular, its activity being more or less contingent . . .

And Hegel's contrary view is now clearly stated:

. . . it is of the very nature of spirit to be this absolute liveliness [*Lebendigkeit*], this process, to proceed forth from naturality [*Natürlichkeit*], immediacy, to sublimate, to quit its naturality, and to come to itself, and *to free itself*, it being itself only as it comes to itself as such a product of itself; *its actuality being merely that it has made itself into what it is*.<sup>44</sup>

And again, as above, finally: “. . . it is *only* as a result of itself that it is spirit.”<sup>45</sup>

## VI

These passages and the direction of this approach raise numerous questions. But it should at least be somewhat clearer what Hegel meant by claiming that the concept of right could be said to “give itself” its own “actuality.” The “constructivist” or self-legislating formulations cited above suggest just that. Under the assumption that forms of natural self-understanding become practically inappropriate for the coordination and intelligibility of complex conduct, subjects must begin to institute and in various ways hold themselves to normative constraints and ideals. It is by being instituted and held to that they function as norms at all, are actual. Their normative authority is not an expression of nature, but they function as independent forms of self-regulation.<sup>46</sup> However paradoxical it may sound, such notions thus “give themselves” their own actuality; they constitute the normative domain they regulate. There isn't such a domain which we discover and try to do justice to, any more than there are ideal game rules which we discover and try to approximate. The concept gives itself, over time, as a result of a kind of self-education, its own actuality.<sup>47</sup> How this is attempted and what counts as success (actualization) and what as failure is the subject of Hegel's books and lectures.

This is in fact the kind of paradox that Hegel flirts with in all those unusual formulations: “Spirit is a product of itself”; “Spirit is its own result”; “[I]ts actuality is only that it has made itself what it is”; “[S]pirit is only what it knows

itself to be,” and so forth. In fact, yet again, this sort of paradoxical formulation is not that far from Kant’s foundational move in this whole enterprise, the fateful passage in the *Groundwork* where he declares:

The will is not merely subject to the law but is subject to the law in such a way that it must be regarded also as legislating for itself and only on this account as being subject to the law (of which it can regard itself as the author).<sup>48</sup>

This is of course the Kantian analogue to the idea that a concept can give itself its own actuality. But in Kant’s case the paradox is even deeper. The idea of a subject, prior to there being a binding law, authoring one and then subjecting itself to it is extremely hard to imagine. It always seems that such a subject could not be imagined doing so unless he were already subject to some sort of law, a law that decreed he ought so to subject himself, making the paradox of this notion of “self-subjection” all the clearer. The lines from this original problem – the logic of moral self-relation, let us say – to the projects of Fichte and Hegel are complex and knotty, if also tightly binding and indispensable. But it should be clear that Hegel is somewhat better off at the outset since he does not believe there is a single form for such a law, and does not try to establish, by an analysis or deduction from the concept of rational being, that we must subject ourselves to just such a law. His developmental approach, or retrospective reconstruction of what we hold each other to, and how we alter such norms, will raise the question noted above (normativity versus mere historicity), but it makes much clearer than in Kant how we could be said to become, collectively and over time, the “authors” of the ties that bind.

However, again, the basic assumption about alternatives is the same in both Kant and Hegel, and testifies to the essential modernity of both figures. *Nature is morally disenchanted*; it doesn’t *mean* anything of relevance to our self-directing lives that we have the wants and desires and passions and limitations that we do.<sup>49</sup> We alone can be responsible for the norms that direct our lives, and so the determination either to constrain or to elect to satisfy those urges. But, contrary to Kant’s hopes, the *very idea of rationally directing our lives in this autonomous way* will not therewith tell us what to do or allow us to understand *why* we would be so bound to such an ideal. If, more than anything else, we need to know what it would be to be rationally self-directing and in what sense we would subject ourselves to this norm, rather than merely recognizing it for what it is, such deductive procedures do not promise much success.

## VII

Confining ourselves to practical norms, then, in what sense can a norm be said to be “actual,” not merely possible? That is, under what conditions can a deter-

minate, action-guiding principle be said to provide a subject with a reason to act? (Such an answer of course would not involve any claim that in such a situation the subject simply would act. People often have very good reasons to do things and yet do not act, or act contrary to their own, actual reasons.) That a course of action would satisfy an interest, or an element of some prior “motivational set,” might obviously provide such a reason, but that approach, for the Kantian tradition, simply pushes the important questions back a few steps. Such a set of interests and desires could not be appealed to in this sense if such a set seemed to me the product of manipulation, coercion, restricted information, or even mere chance. Both Hegel and Kant insist on a capacity for some separation and evaluation of what I happen to want and desire, for the reason at issue truly to function as a practical reason for *me* to do something.

As is well known, Kant concentrates on an unconditionally binding norm, the very acknowledgment of which gives a subject a reason to act, does determine the will, is actually (*in der Tat*) practical. But he also realizes that such an answer is incomplete since such a subject is not an addressee of such a law as a purely rational being. If the law is to provide *me* with an obligation to act, proper account must be taken of the “me” in question, since my sensible interests, desires for happiness, contingent commitments and ideals are not somehow external to or just attached to some rational core. They *are* “me.” Taking these into account in providing a fuller case for such actuality leads Kant into some turgid waters. Although he appeals to the fact of reason in general to prove that pure reason is practical (that we cannot practically deny its normative authority), he then goes on to talk also about an “incentive” we must have, as the sensible creatures we also are, to act as we ought. Part of the “acknowledgment of the moral law” being actual, really providing me with a reason, involves a complex experience of sensible pain at the restrictions on the satisfaction of my self-love, as well as a great feeling of self-respect just in being able to feel and transcend such pain. Moreover that sensible satisfaction and the incentive it (respect) provides, while never itself a chief reason to act in a morally appropriate way (as if in order to have such an experience), is nevertheless not treated as marginal by Kant, but as indispensable to the answer to the Hegelian question we are posing (what makes the norm “actual”). And he does not stop there. Acknowledgment of the law provides me with a reason, creates a rational incentive, only in so far as I also can envisage the ultimate achievement of much more than moral righteousness alone – the achievement of the “highest good,” the achievement of happiness in proportion to moral worth. For *this* to be an element of the law’s actuality, I must then also assume various “Postulates of Practical Reason,” especially that there is a benevolent, just God and an immortal soul. And even this is hardly the end of the story, since the real actuality of the law also requires a complex theory of character,

education, the achievement of a civic commonwealth, and an effective, rational religion.

The exact status of all these considerations, given what appears to be Kant's strict criteria of moral worth, was quite puzzling and frustrating to his successors, especially to Schiller and Hegel, and one can see Hegel's account of actuality as his own response to that puzzlement. On the one hand, all such considerations in Kant appear only to be "helping" elements, useful and motivationally helpful toward my being able to do the right thing when called on, helpful in altering my experience of self-love in a way that reduces its *prima facie* motivational power, and not as integral parts of a moral life itself. Yet, in spite of this, Kant also goes to great length to insist that all such elements are necessary for the moral law to provide creatures like us with a full reason to act.<sup>50</sup>

One can understand Hegel's approach in the *Philosophie des Rechts* as an attempt at a solution to this problem. His substitute, that is, for all these motivational, helping considerations is a more Aristotelian consideration of the original, indispensable role of the ethical community in the formation and very being of individuals. For all the reasons we have discussed, in Hegel as in Kant, I am subject only to laws that I in some sense author and subject myself to. But the legislation of such a law does not consist in some paradoxical single moment of election, whereby a noumenal individual elects as a supreme governing principle, either obedience to the moral law as a life policy, or the priority of self-love and its satisfactions. The formation of and self-subjection to such normative constraints is gradual, collective, and actually historical.<sup>51</sup> Moreover the considerations relevant to the "actuality" of such subjection are not secondary and mere matters of motivational assistance. The claims of reason can only be "actual" in a common ethical life, not only because Hegel thinks of the principles themselves as self-legislating and absolutely constituting the normative domain, but because it is only if the formative institutions of that society are themselves rational that I, as their product, can actually experience the claims of others as reasons for me to act or forbear from acting. This involves a specific case for the rationality of the modern family (where individual partners choose each other on the basis of love, and where the end of familial nurturing is the eventual independence of the children and departure from the private world for the public domain), of the modern institution of private property, and of a representative state; and it involves the right acknowledgment, as reflected in the social institutions themselves (like law), of moral notions of individual responsibility and abstract right notions of entitlement. It also involves a defensible historical narrative accounting properly for the role that appeals to freedom have begun to play in modernity. That is a tall order. But since we do not face normative claims as singular, unattached, noumenal beings, capable of acting as uncaused causes, but as subjects located in historical time (as modern subjects) in various non-detachable



social and ethical relations to others, such an approach to the problem of the realization of the supreme modern norm, freedom, is, for all its difficulties, I would suggest, much to be preferred.

## NOTES

- 1 The most distinctive feature of Hegel's account of this issue is that he does not treat the boundary between natural events and spiritual activities as a hard and fast either/or. This can lead to some unusual discussions. See for example, his account of boredom in *Hegel's Philosophy of Mind*, trans. William Wallace and A. V. Miller (*PM* hereafter) (Oxford: Oxford University Press, 1971), 69.
- 2 This is difficult to state precisely. It would appear to mean: that account which is pre-supposed by any other but which does not itself presuppose any other. But that would not be correct, since Hegel insists that the right image for his system is a circle, not this sort of edifice. But for present purposes, wherein we only need stress the greater importance of the *Logic*, such a summation is relatively harmless.
- 3 It could of course, as in the case of *The Science of Logic*, also be an account of the very possibility of account-giving.
- 4 "Everything in nature works according to laws. Only a rational being has the capacity of acting according to the *conception* of laws (i.e., according to principles)." *Foundations of the Metaphysics of Morals*, trans. Lewis White Beck (*F* hereafter) (New York: Macmillan, 1990), 29 (Ak 4:412). See also *Critique of Practical Reason*, trans. Lewis White Beck (*CprR* hereafter) (Indianapolis: Bobbs-Merrill, 1956), 17–18 (Ak 5:19–20).
- 5 Cf. *Faith and Knowledge*, trans. Walter Cerf and H. S. Harris (Albany: State University of New York Press, 1977), 96. For more on the relation between Kant and Hegel on the "limitation of knowledge" theme, see my article, "Idealism and Agency in Kant and Hegel," *Journal of Philosophy*, 88 (1991), 532–41.
- 6 As far as I know, Hegel does not use the rough German equivalents for these Wittgensteinian terms ("*gesinnt*," or "*gleichgesinnt*" perhaps). But since his account of spirit is not an account of what he calls a "soul thing" (*Seelending*), or of mental content, ideas, or subjective forms, another term is needed that will not immediately suggest subjective states of mind, states of consciousness, or the grasping of a content. In Hegel's account, understanding such a content *is* being minded in a way, and that means something like having the capacity to wield a notion appropriately. Cf. my Introduction to *Idealism as Modernism: Hegelian Variations* (*IM* hereafter) (Cambridge: Cambridge University Press, 1997), 1–25.
- 7 Cf. what Hegel says about the "external" forms of transition in the *Encyclopedia* presentation, *PM*, no. 575.
- 8 Cf. the remark to §190 in *Elements of the Philosophy of Right*, trans. H. B. Nisbet (*PR* hereafter) (Cambridge: Cambridge University Press, 1991).
- 9 Cf. *Hegel's Logic, Being Part One of the Encyclopedia of the Philosophical Sciences*, trans. William Wallace (*EL* hereafter) (Oxford: Clarendon Press, 1982), §23, and the Remark to §24, p. 39: "... freedom means that the other thing with which you deal is a second self – so that you never leave your own ground but *give the law to yourself*." (My emphasis; this characterization of thinking as self-legislation will be central to the general characterization of normativity given later in this chapter.)
- 10 An excellent statement of this kind of criticism can be found in Michael Theunissen,

- “Die verdrängte Intersubjektivität in Hegels Philosophie des Rechts,” in D. Henrich and R.-P. Horstmann, eds., *Hegels Philosophie des Rechts* (Stuttgart: Klett-Cotta, 1982). I dispute Theunissen’s characterization of the Berlin Hegel in “What is the Question for which Hegel’s Theory of Recognition is the Answer?,” forthcoming in *The European Journal of Philosophy*.
- 11 PR, p. 20.
  - 12 PR, §145Z.
  - 13 PR, §152.
  - 14 G. W. F. Hegel, *Lectures on the Philosophy of World History: Introduction*, trans. H.B. Nisbet (LPW, hereafter) (Cambridge: Cambridge University Press, 1975), 42.
  - 15 LPW 29.
  - 16 G. W. F. Hegel, *Hegels Philosophie des subjektiven Geistes / Hegel’s Philosophy of Subjective Spirit*, 3 vols., trans. and ed. M. Petry (PSS hereafter) (Dordrecht: Riedel, 1978), §377, Zusatz, p. 9.
  - 17 Cf. the well-known claim: “That the true is actual only as system, or that Substance is essentially Subject, is expressed in the representation of the Absolute as Spirit – the most sublime Notion and the one which belongs to the modern age and its religion.” *Hegel’s Phenomenology of Spirit*, trans. A. V. Miller (PhS hereafter) (Oxford: Oxford University Press, 1977), 14. For more on this claim about “the Absolute” see my article, “You Can’t Get There from Here: Transition Problems in Hegel’s *Phenomenology of Spirit*,” in F. Beiser, ed., *The Cambridge Companion to Hegel* (Cambridge: Cambridge University Press, 1993), 58–63. Also see this passage from the Introduction to the world history lectures: “The substance of spirit is freedom. From this we can infer that its end in the historical process is the freedom of the subject to follow its own conscience and morality, and to pursue and implement its own universal ends; it also implies that the subject has infinite value and that it must become conscious of its supremacy. The end of the world spirit is *realized* in substance through the freedom of each individual” (LPW 55).
  - 18 Here is one of the boldest: “. . . it is of the essence of spirit to be free, and so to be free for itself, not to remain within the immediacy of what is natural. On account of the position from which we are assessing what we call human spirit, we have spirit within a relationship as the middle between two extremes: nature and God; the one being for man, the point of departure, the other being the ultimate end, the absolute goal” (PSS 7).
  - 19 See again the passage cited in note 17 above. In the PR, at §260, Hegel summarizes more concisely than anywhere else the importance of both the “subjective” and “objective” sides of the realization of freedom. “The principle of modern states has enormous strength and depth because it allows the principle of subjectivity to attain fulfillment in the self-sufficient extreme of personal particularity, while at the same time bringing it back to substantial unity, and so preserving this unity in the principle of subjectivity itself” (PR 282). Hegel then contrasts this accomplishment with antiquity, wherein “particularity had not yet been released and set at liberty and brought back to universality.” And he concludes that “only when both moments [the objective universal and individual subjectivity] are present in full measure can the state be regarded as articulated and truly organized” (PR 283).
  - 20 This option is for all intents and purposes rejected by Hegel in the Remark to PR §2, where he states explicitly that the existing form of right, what people at a time actually think right is (what is called their “representation” or *Vorstellung*), need have

- nothing to do with a concept's "true" actuality. He uses the Roman legal understanding of slavery as a case in point, where what was taken to be consistent with right is not, "actually" (26). In the Berlin (1830) version of the *Encyclopedia Logic*, in §6, Hegel patiently and in great detail explains that of course he did not mean by the famous phrase from the *PR* Preface to forestall criticism of existing regimes ("... for who is not acute enough to see a great deal in his own surroundings which is really far from being as it ought to be?" *EL* 10). His point, he stresses, was to criticize a certain notion of practical rationality, what we would today call a defense of "external reasons," and to defend a version of "internalism," the claim that, "[i]f there are reasons for action, it must be that people sometimes act for these reasons, and if they do, their reasons must figure in some correct explanation of their actions." Bernard Williams, "Internal and External Reasons," in *Moral Luck* (Cambridge: Cambridge University Press, 1981), 102. For more on the relevance of this distinction to Hegel's account of actuality, see my "Hegel's Ethical Rationalism," *IM* 417–50.
- 21 He rejects this possible interpretation in the Remark to §3, denying that any "systematic" understanding of right has anything to do with "a positive code of laws such as is required by an actual state" (*PR* 28–9).
  - 22 *PR* 25.
  - 23 *PR* 26.
  - 24 *LPW* 57.
  - 25 It is also obvious that, whatever Hegel's actual position, what he was *taken to mean* by some descendants influenced world history like almost no other philosophy. The idea of providing for a person's "real" or "objective" freedom opened the door that led eventually to "People's Democratic Republics" and other Orwellian claimants to such a title of reality. This legacy has long distorted discussions of Hegel and indeed distorted a proper appreciation of the whole Continental tradition in normative theory, the Rousseau–Kant–Fichte–Hegel tradition.
  - 26 Kant, *The Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1929), A158/B197.
  - 27 *CPuR* B175/A135.
  - 28 *CprR* 43 (Ak 5:42).
  - 29 *CprR* 108–9 (Ak 5:105–6).
  - 30 *CprR* 47 (Ak 5:46).
  - 31 *CprR* 48 (Ak 5:47).
  - 32 Since concepts are understood functionally, demonstrating what content judgments must have could be expressed by a demonstration of what one must be able to do with a concept, how one can and cannot wield it in judgments. That is what the notion of content has become, after Kant's attack on rationalism and empiricism. The origin of this approach is Kant's functional account of concepts as rules, or "predicates of possible judgments." See the account in my *Kant's Theory of Form: An Essay on the Critique of Pure Reason* (New Haven: Yale University Press, 1982), ch. four, 88–123.
  - 33 See my *Kant's Theory of Form*, ch. six, "The Transcendental Deduction," 151–87, and ch. two, "Kantian and Hegelian Idealism," in my *Hegel's Idealism: The Satisfactions of Self-Consciousness* (Cambridge: Cambridge University Press, 1989), 16–41.
  - 34 For a brief sketch of the significance of such a claim about the reflexive character of experience, see my "Apperception and the Difference Between Kantian and Hegelian Idealism," in G. Funke and T. Seebohm, eds., *Proceedings of the Sixth International Kant Congress* (Washington, DC: University Press of America, 1988), 535–50.

- 35 The crucial turning point in the idealist tradition is Fichte, a figure also essential for understanding how normative issues in theoretical and practical philosophy began to be assimilated. See my article, "Fichte's alleged one-sided, subjective, psychological idealism," forthcoming in Günter Zöller, ed., *The Cambridge Companion to Fichte*.
- 36 PSS, §388.
- 37 Cf. my "Naturalness and Mindedness: Hegel's Compatibilism," *The European Journal of Philosophy*, 7 (1999), 194–212.
- 38 Even though Kant titled the section in which he introduces the Fact of Reason "Of the Deduction of the Principles of Pure Practical Reason," he quickly admits that such a deduction of the moral principle would be "vainly sought"; *CprR* 48 (Ak 5:47). So, despite the title, it is not quite right to call Kant's justifying procedure in the second *Critique* "deductive." If anything the appeal to the fact of reason is closer to the meta-physical "expositions" in the Transcendental Aesthetic, or an exposition that is thereby a validation.
- 39 For more on the controversies and the role of the "actualization" claim in the details of Hegel's social and political philosophy, see my "Hegel's Political Argument and the Problem of *Verwirklichung*," *Political Theory* (1981), 509–32, and "The Rose and the Owl: Some Remarks on the Theory–Practice Problem in Hegel," *Independent Journal of Philosophy* (1979), 7–16.
- 40 Hegel, *Science of Logic*, trans. A. V. Miller (London: George Allen & Unwin, 1969), 562.
- 41 On the idea of the sociality of reason itself, see Terry Pinkard's valuable discussion in *Hegel's Phenomenology: The Sociality of Reason* (Cambridge: Cambridge University Press, 1994).
- 42 PSS 6–7.
- 43 PSS 6–7.
- 44 PSS 6–7.
- 45 PSS 6–7.
- 46 On spirit as a "negation" of nature and on the role of reason in establishing such a negation, see my "Naturalness and Mindedness: Hegel's Compatibilism." The interpretive direction suggested here, "left Hegelian" as it is, might look like a familiar, and ever more popular, one in Anglophone interpretations – a pragmatism, perhaps a radical pragmatism. (See Richard Rorty's comments on "Naturalness and Mindedness," published in this same volume.) There is, however, something non-negotiable, let's say, in Hegel's account that makes such interpretations incomplete. Said summarily, the status of freedom in Hegel is "absolute"; its historical character is only a matter of its "realization."
- 47 The *Phenomenology* is supposed to be the story of this self-education and so a "ladder to the Absolute." The claim is that the collective social and intellectual experiences of European civilizations, especially their experience of profound cultural and political breakdowns, can be understood as a form of progressive self-education about what it is to be a human being. We are, in other words, learning that we are free and what it means to be free (what the political, aesthetic, and religious implications are of this gradual self-education), and in such a self-consciousness we are just thereby becoming the free subjects we are "implicitly," or "*an sich*."
- 48 *F* 48 (Ak 4:431).
- 49 This does not of course mean that the status of nature is irrelevant to what Kant calls our "moral destiny." The issue is how to think comprehensively about the relation

- between such a destiny and nature, and Kant's struggles with that issue are apparent in everything from the doctrine of the highest good to the *Critique of Judgment*.
- 50 The strongest claim of all: "Since, now, the furthering of the highest good . . . is an a priori necessary object of our will and is inseparably related to the moral law, the impossibility of the highest good must prove the falsity of the moral law also. If, therefore, the highest good is impossible according to practical rules, then the moral law which commands that it be furthered must be fantastic, directed to empty imaginary ends, and consequently inherently false" (*CprR* 118; Ak, 5:114). In section V thereafter, Kant goes on to insist on the necessity of the postulation of a just God and the immortality of the soul, again as necessary conditions for the practical reality of the moral law. *CprR* 128ff. (Ak, 5:124ff.)
- 51 The best example of how this is supposed to work is ch. six of the *Phenomenology*, on "spirit." This is an account of the way in which agents attempt to stand behind, "take" responsibility for, their deeds, an issue that involves at its center the status of the kind of reasons that can be offered when challenged, from the dispute between Antigone and Creon, with a very close, barely "separated" relation between subjects and communal (divided, self-contradictory) ethical life, to a claim for radical independence in figures like Diderot's Rameau's Nephew and the stance of romantic irony.