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Freedom and Alienation in Hegel

by

Michael Fitzgerald, B.A.

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfilment of
the requirements of the degree of

Master of Arts

Department of Philosophy

Carleton University

Ottawa, Ontario

August 26, 1992

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the degree of Master of Arts

Thesis Supervisor

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Abstract

This thesis examines Hegel's insights into the concept of freedom. It does so first by considering his critiques of individualistic theories of practical reason and ethics as they relate to freedom — theories which he faults on the basis of a foundationalist approach which, he shows, results in self-contradiction and alienation. Next, it examines the different concepts of practical reason, ethics and freedom proposed by Hegel in order to avoid such self-contradiction and alienation, concepts resting on the idea that individuals have their being in a social context, that they make the social context and it makes them. Finally, it looks at the notion of freedom which, understood in this context, can be seen in less simplistic terms than merely negative and positive freedom and in a more sophisticated light as substantive freedom.

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Introduction

Alienation and Modern Society

According to the European version — the stag version — of the pageant of the New World, the Indian plays a passive role. Europe has been accustomed to playing the swaggart in history — Europe striding through the Americas, overturning temples, spilling language, spilling seed, spilling blood.¹

...for five centuries we have listened only to the history of the winners. We have been talking to ourselves. It is time to hear the other side of the story that began in 1492 and continues to this day.²

October 12, 1992, is the quincentenary of Columbus's "discovery" of the new world, and whereas this has prompted tremendous preparations for celebrations in Europe, including the reconstruction of the three ships Columbus used for his voyage as well as a reenactment of the voyage itself, it is instructive to examine the legacy of Columbus as it has affected those who were "discovered." To the discovered, it meant the dismemberment of their culture, from the population decimation due to foreign pathogens, from the destruction of their political and social infrastructure, and from the spiritual aggressiveness that was characteristic of most of the Christian missionaries who landed on their shores. This story has its counterparts in Africa and Asia as well, but as Ronald Wright points out in his recent book, *Stolen Continents*,

Unlike Asia and Africa, America never saw its colonizers leave. America's ancient nations have not recovered their autonomy, but that doesn't mean they have disappeared. Many survive, captive within white settler states built upon their lands and on their backs.³

The legacy of colonialism, whether western or eastern, goes beyond the immediate dissolution of indigenous cultures. Many of those cultures still exist

¹Rodriguez, R., "Mixed Blood," *Harper's*, Nov 1991, pg. 50.

²Wright, R., *Stolen Continents*, Houghton Mifflin Co., New York, 1992, pg. 4.

³*Ibid.*

today in some form or other, and are faced with the problem of how to continue as the cultures they are, or have become, whether in nations only recently freed of the colonial yoke, or in reservations trying to exist within a western culture such as the United States, which still engages in imperialistic adventures. A major problem they face is how they are to understand themselves now, at both the individual and the social level. How do fragmented cultures exist for the people, and the people for the cultures? What does it mean to be a Mohawk, a Mayan or a Gikuyu?

Development theorists such as Frantz Fanon and Ngugi wa Thiong'o have proposed that self-understanding must come from within, that in order to reaffirm culture heritage, it is necessary to "decolonize".⁴ Decolonization necessitates overcoming the obvious social and institutional impediments of colonialism, such as certain types of class differentiation and segregation, or educational patterns which ignore the culture of the people being educated. As well, and more importantly among post-colonized thinkers, it involves a rejection of the intellectual apparatus which characterized development theory until recently. Theories based on liberal democratic capitalism, industrialism, or Marxism are as much a part of the colonial legacy as the British monarch or the U.S. marines. Instead of such theories, thinkers like Ngugi propose that the resources for reclaiming cultural identity and the way of life which it embodies must come out of whatever remains of the culture itself. However, at the same time, it must be recognized that the culture of the colonized has been altered by the colonizers, and for better or worse that alteration is part of the cultural tradition. Self-understanding, for a post-colonial society, must make reference to its colonial period in some form or other.

⁴Fanon, F., *The Wretched of the Earth*, Penguin Books, Harmondsworth, 1969; Ngugi wa Thiong'o, *Decolonising the Mind*, James Currey/Heinemann, London, 1986.

The alienation of the post-colonized from their traditions is a condition that they share with the post-colonizers. Although it may appear that the cultures which gave rise to the "discoverers" and colonizers are intact in their original state, further examination reveals that this is not quite the case. In Britain, for instance, one result of colonialism was the influx of immigrants from the former colonies, whose presence perhaps strained the notions of liberal tolerance which are sometimes taken for granted in western nations. There is also a question as to what sort of responsibility the north has towards the impoverished south, given that the prosperity of the north is due to a large extent to its history of exploitation, in the form of slavery, agribusiness and so on.

Critics of liberalism such as Alisdair MacIntyre point out that far from being homogeneous, western culture is actually composed of various competing traditions, all of which exist in fragmentary state.⁵ There are few, if any, western nations which do not have a variety of linguistic, religious or cultural groups, many of whom are vying for recognition within the whole. A citizen of a western country often has little more in common with her neighbour than the fact that they live in the same country, and share a common legal and political system. As individuals in such societies, we are prone to the phenomenon of alienation, of estrangement from the institutions and social activities that are supposed to bind us together.

Even where society does not comprise competing fragmentary traditions, but is rather culturally homogeneous, alienation can occur as a social phenomenon. If society is understood merely as economic interaction, and the ties which bind us to one another are understood purely in terms of commodity and labour values, we may come to understand ourselves only in such terms.

⁵MacIntyre, A., *After Virtue and Whose Justice? Which Rationality?*, University of Notre Dame Press, Notre Dame, 1984 and 1988.

Thus we find ourselves in the condition of "anomie", the sense of social disconnectedness in which we are unable to form bonds with others in a way that makes our lives meaningful in any sense other than as commodities. Our sense of self-worth in such a case depends only upon our value as economic units, not as active beings *per se*.⁶ As well, economic necessities can force us to spend much of our lives engaged in mindless, mechanical labour, in which we are unable to find satisfaction. Economic forces beyond our control can make our activity redundant, and thus cause us to be unemployed. As such, not only do we lack particular satisfaction, but we are unable to take part in an activity whereby we receive recognition from others as contributors to society. We become marginalized, which is even more evident in the case of the poor. A society which fails to address these situations, whether it is culturally heterogeneous or not, is an alienated society.

In this thesis, I want to examine Hegel's treatment of the problem of alienation. My argument is that this is one of the central themes of Hegel's ethical thought, and that an examination of his ethics in this light shows Hegel's relevance to the situation we find ourselves in today. Alienation is central to Hegel's thought, because when individuals' lives are dominated by the experience of alienation, they are unable to be truly free. That is, they are unable to be active in the world in a way that satisfies the need for meaning. Although it may be true that alienated individuals can satisfy certain goals, such as basic needs and particular desires, Hegel argues that such satisfaction, although necessary for human existence, fails to allow individuals to understand their lives

⁶Durkheim, E., *Suicide*, trans. J.A. Spaulding & G. Simpson, Glencoe, Ill., Free Press, 1951, mentioned in Wood, A., *Hegel's Ethical Thought*, Cambridge University Press, Cambridge, 1990, pp. 241-2.

as worthwhile, and to have certainty as to the worth of their beliefs, goals and actions.

Alienation occurs because individuals are unable to understand themselves as they really are. That is, there is a conceptual gap between an individual's understanding of her goals, beliefs, desires, achievements, etc., and the way these actually manifest themselves in the world. Hegel's argument is that the Enlightenment gave rise to the understanding of individuality as subjectivity, of the individual as an isolated subject in an objective world from which she is separate.

This dualistic conception of human existence fails to adequately account for intersubjectivity, and so relies on foundationalist conceptions of knowledge and morality to account for social existence. Such foundationalist conceptions necessarily involve universalism; because they depend on the idea that the individual is separate from the world, they view objectivity as something ahistorical, dependent only upon the aspect of mind that is seen as foundational. As such, objectivity entails universal applicability. In opposing dualism, Hegel argues that knowledge is a social practice, that what counts as objectivity is socially determined, that the individual as a subject is a social construction, and that therefore in order to determine good and evil, our rights and duties, and ultimately to have true freedom, we must anchor ethical inquiry in a social framework. The idea of an ahistorical, atomic individual is anathema to Hegel.

Hegel's ethical theory differs from that of traditional communitarians, however, in that he believes that examination of tradition involves a change in one's own self-understanding. Whereas a traditional communitarian would argue that it is only by identifying themselves with the community and its traditions that individuals can hope to engage in objective moral beliefs and practices, Hegel sees that it is only by critically examining their own culture that they can

understand their moral beliefs as anything more than subjective. It is through critical examination that individuals can understand how their individuality is dependent upon the shared beliefs and practices which make up their society, and how those beliefs and practices in turn are dependent upon those individuals for their existence. Hegel's conception of the relationship between society and individuals can be exemplified by the relationship between a language and its speakers. Without the language, there are no speakers, but reciprocally, without the speakers there is no language.⁷

In order for individuals to be able to critically examine their own society and its traditions, however, they must be able to distance themselves from it to some extent. An individual who completely identified with tradition would, to follow the example above, be like a language speaker who was unable to conceive of such a thing as a different language. The latter person would be unable to examine her own language, for there would be no frame of reference against which to understand it as a finite thing. There would be only language, not a language. If tradition is to be objective, and not merely something with which individuals subjectively identify, individuals must be able to conceive of other possibilities.

The question a foundationalist would put to Hegel is this: if knowledge is a social practice, how is it possible for a person to consider other possibilities outside of the shared practices and beliefs? Hegel's answer is that it is possible because as individuals we have particular desires, beliefs, goals, etc., but we are

⁷This is, perhaps, Wittgenstein's conception of language in the *Philosophical Investigations*. Another example of this is the notion of a game, which in order to take place must have players who follow the rules, but who are only players because they follow the rules. Hegel's conception of the relationship between individual and society is like an all-encompassing, on-going game in which part of the activity of playing the game is re-examination of the rules.

able to give some of these up, or even just conceive of giving some of these up. That is, we can alienate (*entäussern*) our particularity.

For Hegel, then, there are two types of alienation present in human life. One is *Entfremdung*, literally “estrangement,” which covers the kind of alienation discussed above, the alienation experienced by individuals when their social form no longer accords with their self-understanding. However, the second type of alienation that Hegel discusses, *Entäusserung*, is the conscious alienation by individuals of their own particularity, their own particular desires and needs, in order to achieve a greater self-understanding and reconciliation with the whole. The latter kind of alienation is a necessary part of the process of achieving self-understanding, and thus understanding one’s society. So alienation is in fact Janus-faced. As actively undertaken, it is positive, but as a resultant state of affairs, it is negative.⁸

Hegel argues that it is possible to have objectivity in ethics without being thereby committed to foundationalism. In the *Phenomenology of Spirit*, Hegel’s description of “human existence as it “appears” or “manifests” itself to the very one who experiences it,”⁹ he tries to show how foundationalism, whether in epistemology or in ethics, presupposes a conception of knowledge as a social practice which cannot be justified foundationally.

To clarify this, I will first examine chapter V of the *Phenomenology*, “Reason”, the second and third sections of which are devoted to a critique of individualism. Next I will turn to the *Philosophy of Right*, and examine Hegel’s concept of the constitutional state as a model for antifoundationalist

⁸Robinson, J., *Duty and Hypocrisy in Hegel’s Phenomenology of Mind*, University of Toronto Press, Toronto, 1977, pp. 23-24. The distinction of *Entäusserung* and *Entfremdung* and the relationship between the two is complex and unfortunately beyond the scope of this thesis.

⁹Kojève, A., *Introduction to the Reading of Hegel*, trans. J.H. Nichols, Cornell University Press, Ithaca, 1969, pg. 261.

universalism.¹⁰ In addition, I will look at Hegel's understanding of freedom and how it is realized in the juristic state. Finally, I will return to the *Phenomenology* to show how Hegel's internal critique is supposed to function, by contrasting two sections of chapter VI, "Spirit", namely Culture and Terror.

In order to put Hegel's arguments in context, I shall examine Kant's ethical theory as an example of what Hegel was arguing against. Although Hegel agrees with the critical aspect of Kant's philosophy, he deplores the inherent dualism of the phenomenal/noumenal distinction, which he sees as a version of Cartesian dualism. Kant's ethics represent for Hegel the kind of ahistorical, foundationalist universalism which he wants to refute. For that reason, I will briefly discuss the main points of Kant's three major ethical texts, the *Foundations of the Metaphysics of Morals*, the *Critique of Practical Reason*, and the *Metaphysical Elements of Justice*.

¹⁰In that work, unlike in the *Phenomenology*, Hegel's position has changed to the extent that the "juristic state could be thought of as a whole in the sense that Aristotle had considered the polis as a unity ... The law is now seen as an integrative institution and it expresses the will of independent men who are socialized in such a way that their pursuit of private ends reinforces their personal and collective adherence to public values." (Shklar, J., *Freedom and Independence*, Cambridge University Press, Cambridge, 1976, pg. 205.)

Chapter 1. Foundationalism and Universalism

Foundationalism

Foundationalism is an attempt to account for objective validity on indubitable grounds. Hegel's antifoundationalist stance takes to task the dualist presuppositions he sees underlying such foundationalism. If one starts from the presupposition that the subjective and the objective are separate (i.e. all we can know for certain, initially, is that we think, not what it is we think about), then the objective realm will always have the characteristic of sheer otherness. Foundationalism depends on the correspondence theory of knowledge (or truth), the viewpoint that knowledge consists in the correspondence between thought and reality.

This is a picture Hegel strenuously attacks. The question he raises for this kind of theory is, how can reality exist for us in such a way that we can compare our thoughts of it with it as it is in itself?

... if cognition is the instrument for getting hold of absolute being, it is obvious that the use of an instrument on a thing certainly does not let it be what it is for itself, but rather sets out to reshape and alter it. If, on the other hand, cognition is not an instrument of our activity but a more or less passive medium through which the light of truth reaches us, then again we do not receive the truth as it is in itself, but only as it exists through and in this medium. (PhS ¶73)¹¹

Hegel characterizes these positions as "the fear of falling into error," which fear

takes for granted certain ideas about cognition as an *instrument* and as a *medium*, and assumes that there is a *difference between ourselves and this cognition*. Above all, it

¹¹ I will use the following abbreviations in the text to refer to Hegel's works: (i) PhS — *Phenomenology of Spirit*, trans. A.V. Miller, Oxford University Press, Oxford, 1977 (all references to paragraph numbers); (ii) PR — *Elements of the Philosophy of Right*, trans. A. Wood, Cambridge University Press, Cambridge, 1991 (all references to paragraph numbers save where indicated); EL — *Hegel's Logic (Encyclopedia of the Philosophical Sciences vol. I)*, trans. W. Wallace, Clarendon Press, Oxford, 1989 (all references to paragraph numbers); EM — *Hegel's Philosophy of Mind (Encyclopedia of the Philosophical Sciences vol. III)*, trans. W. Wallace, Clarendon Press, Oxford, 1990 (all references to paragraph numbers); WL — *Hegel's Science of Logic*, trans. A.V. Miller, Humanities Press International, 1969.

presupposes that the Absolute stands on one side and cognition on the other, independent and separated from it, and yet is something real. (PhS ¶74)

In the *Critique of Pure Reason*, Kant discusses the "absolute" as the "sum-total of all possibilities", that is, as the totality of concepts in terms of which objects can be determined.¹² Hegel's position is that this absolute, as an absolute conceptual framework, arises from within the process of knowledge that is ours. It is not something independent of knowledge.

Hegel himself, of course, does not use the terms "foundationalism" and "antifoundationalism". The same distinction, however, is evident in an opposition that Hegel mentions frequently, between "understanding" [*Verstand*] and "reason" [*Vernunft*]. This distinction Hegel owes to Kant, but whereas Kant elevated understanding over reason, Hegel reverses their priority. Understanding is characterized by abstract thinking. Understanding the objects of consciousness means considering them as determined by different abstract oppositions, e.g. form and content, universal and particular. Whilst this is a necessary task in order to comprehend ourselves and the world, it remains abstract, and is never able to reconcile the oppositions it sets up.

...the following distinction must be firmly established between Understanding and Reason: that for the latter, the object is determined in and for itself, is the identity of content and form, of universal and particular, whereas for the former it falls apart into form and content, into universal and particular, and into an empty 'in-itself' to which the determinateness is added from outside; that, therefore, in the thinking of the Understanding, the content is indifferent to its form, while in the comprehensive thinking of Reason the content produces its form from itself.

But though Understanding has this inherent defect just indicated, it is none the less a necessary moment of rational thinking. Its activity consists, in general, in making abstraction...(EM §467R)

The reconciliation of opposites is the function of reason.

What are the specific arguments against foundationalism? One argument is that foundationalism requires two kinds of knowledge. In order to claim that

¹²Kant, I., *Critique of Pure Reason*, trans. N. Kemp-Smith, MacMillan Publishers Ltd., London, 1985, pp. 316-18 (A324-26/B380-82), 487-490 (A571-76/B599-604)

knowledge has a foundation, the foundation must be known in a different way from the knowledge which it grounds. Either it is self-grounding (self-evident, immediate, self-validating), in which case there remains a gap between the self-evident principle and the knowledge of objects which it is to ground (e.g. if knowledge of objects is not self-evident, how is the transition from self-evidence to verification to be effected? — the transition from the *cogito* to the *res cogitans* and from that to the knowledge of the external world), or we are caught in an infinite regression.

Another argument, which can be specifically directed against Kant, is that foundationalism requires an unknowable other which limits our knowledge. Kant thought that an examination of knowledge itself could show how certain knowledge can be achieved, but only at the cost of limiting the possibility of knowledge to the world of appearances. Kant's view entails that we must posit the existence of things-in-themselves that are inherently unknowable (which includes the existence of the self), save that they do exist. The antifoundationalist rejoinder is this: how can we know that knowledge is limited by something we cannot know save that we know it exists as the limit of our knowledge?

Another version of the antifoundationalist attack is predicated upon denying the transparency of consciousness to itself. Stanley Fish argues that in order for foundationalism to succeed, the human mind must be capable of transcending itself, of stepping outside itself to assume a "neutral" perspective, from which all beliefs can be evaluated.¹³ In order to do so, one would need to be able to evaluate all one's beliefs using beliefs (or knowledge, or principles) that are not one's own. But how can this be possible? What would it be to use a belief which wasn't one's own? If I can use it, how can it not be my own?

¹³Fish, S., *Doing What Comes Naturally*, Duke University Press, 1989, pg. 319.

This is not just a matter of placing myself in someone else's perspective. The antifoundationalist cut is deeper than that. The issue turns upon what it means to be able to use a criterion. Foundationalism seems to require two incompatible things — epistemologically, for example, a criterion independent of knowledge which at the same time is known. If I attempt to evaluate all my beliefs or knowledge with a criterion, that criterion is already a part of my context of beliefs. A similar argument is put forward by MacIntyre against the "Enlightenment project" of moral theory, the idea of assuming a universal perspective, or an ethically/politically neutral perspective, from which to evaluate our ethical/political beliefs. He argues that this idea is part of the Enlightenment vision, and for that reason fails to be separate from it. That is, it fails to be neutral between different conceptions of rationality, because it is embedded in one particular view of rationality.

The foundationalist argument, then, in its epistemological or ethical form, is that there is something we can be sure of and which is true, and given this we can work out what we know, what we believe and thus how to act. Criteria can be determined for what counts, and these criteria are universal — i.e. they apply to any (humanly) rational being. The antifoundationalist argument is that no such certain true ground can be found, because if we know it, knowledge is already involved and cannot be displaced in order to evaluate knowledge by the criteria the foundation provides. To put it another way, it is always too late for criteria, because once we know something, we are already using criteria.

In order to explain Hegel's antifoundationalist ethical theory, I want to briefly examine the foundationalist ethical theory which had the most significance for Hegel, namely that of Kant, "the towering figure who dominates Hegel's

conception of the Enlightenment".¹⁴ I will delineate the most salient points of Kant's moral and political theory as an example of universalism and foundationalism in ethics. It will then be clearer, I hope, how Hegel's theory rejects foundationalism without embracing relativism.

One caveat is in order here, however. In recent years there has been much debate about Hegel's critique of Kant's ethics and of his claim that the categorical imperative is substantively empty. It is not my purpose here to take sides on this issue, either to defend Hegel against recent Kantian critics, or to defend Kant against Hegel. Rather, I am concerned with universalism and foundationalism generally, and so I use Kant as an example of this.¹⁵

Kant's Ethical Theory

The first significant distinction Kant makes in outlining his understanding of ethics is the distinction between morality and practical anthropology. Kant wants to show that it is possible "to construct a pure moral philosophy, perfectly cleared of everything which is only empirical" (GMS pg. 5).¹⁶ That is, in order to be purely philosophical we must proceed from *a priori* principles. The necessity for a pure moral philosophy is witnessed by the idea that "if a law is to have moral force ... it must carry with it absolute necessity" (GMS pg. 5). Morality cannot be dependent

¹⁴Solomon, R., *In the Spirit of Hegel*, Oxford University Press, Oxford, 1983, pg. 552.

¹⁵See for instance Wood, A., *op. cit.*, pp. 144-173; Allison, H., *Kant on Freedom*, Cambridge University Press, 1990; Ameriks, K., "The Hegelian Critique of Kantian Morality", in den Ouden, B., ed., *New Essays on Kant*, Peter Lang Publishing, New York, 1987, pp. 179-212; Sedgwick, S., "On the Relation of Pure Reason to Content: A Reply to Hegel's Critique of Formalism in Kant's Ethics", in *Philosophy and Phenomenological Research*, vol. XLIX, no. 1, September 1988.

¹⁶References are to *Fundamental Principles of the Metaphysics of Morals*, trans. T.K. Abbott, The Liberal Arts Press, New York, 1949 (referred to in the text as GMS with pagination from the German); *Critique of Practical Reason*, trans. L.W. Beck, Bobbs-Merrill, Indianapolis, 1956 (referred to in the text as CpV with pagination from the German); and *The Metaphysical Elements of Justice*, trans. J. Ladd, Bobbs-Merrill, Indianapolis, 1965 (referred to in the text as MAR with pagination from the German).

upon empirical conditions, for then it could not be said to bind us absolutely. Rather, it must be grounded in reason, since it is reason which allows us to abstract from our empirical circumstances.

In its practical function, "reason deals with the grounds determining the will" (CpV pg. 15), with the possibility of producing objects of the will, i.e. achieving particular goals, or with the possibility of the will determining itself. In achieving particular goals, practical reason is instrumental, and gives rise to principles of prudence. Given an empirical object, practical reason instructs us how best to achieve that object. Abstracted from all empirical content, however, practical reason is concerned solely with the will's self-determination, i.e. with the will's determining itself in conformity to reason. This is the true function of practical reason, Kant argues, because the achievement of empirical goals is something that "would be far more surely prescribed to [a creature] by instinct" (GMS pg. 13). Since we have reason that has a practical function, its purpose must be rather to enable us to be rational in our actions, to be guided by reason in determining our volitions.

We need rational self-guidance, because it is only the will, Kant thinks, that can be good in itself, intrinsically good, rather than instrumentally good. Any other candidates for intrinsic good, such as happiness, can be shown not to be good in themselves because such candidates are always subject to qualification or to conditions. Happiness, for instance, is empirically determined. "[S]ince the knowledge of this rests on mere data of experience, as each judgment concerning it depends very much on the very changeable opinion of each person, it can give general but never universal rules; that is, the rules it gives will on the average be most often the right ones for this purpose, but they will not be rules which must hold always and necessarily" (CpV pg. 36). In order for our actions to

be right unconditionally, the will must be determined by something which is not merely right in this circumstance or that.

In order for reason to provide us with universal laws, then, it is necessary to abstract from all empirical or material content. What remains is "nothing ... except the mere form of giving universal law" (CpV pg. 27). We can therefore know that what gives practical reason its significance in determining the will is the universal form of its law, rather than any empirical content. The only form such a law can take is that of the categorical imperative, "So act that the maxim of your will could always hold at the same time as a principle establishing universal law" (CpV pg. 30) or "Act only on that maxim whereby thou canst at the same time will that it should become a universal law" (GMS pg. 47). Thus, as rational beings, active in the world, we know what is good in itself, and how that determines our actions. We know that the will is good in itself, and that in order to act morally, we must act in such a way that conforms to the dictate of pure practical reason. In other words, we can know what our duties are.

Kant's investigation answers the important moral questions in a foundationalist and formalist way. There is only one moral law (although Kant gives it several formulations), and this we can know purely *a priori*, through reason alone. Thus morality has a foundation in reason. At the same time, because it is *a priori*, it is independent of material content, and thus it is purely due to its form alone that the moral law is binding upon us. The categorical imperative is therefore foundational and formal.

Because it is knowable through reason alone and not dependent upon the empirical circumstances of particular agents in the world, the moral law is universal. It determines the will of any finite rational being. Thus all rational agents share the same universal will where morality is concerned. Because we are finite, however, or are sensuous beings as well as rational beings, volition is

also subject to empirical desires, such as the desire for happiness, “a rational being’s consciousness of the agreeableness of life which without interruption accompanies his whole existence” (CpV pg. 22). In obeying the moral law, we can be free of the determination of the will by desires alone, which gives us negative freedom. As determined through reason, however, we are also positively free; i.e., we are free in the sense of being determined by nothing other than our own reason. This is autonomy, as opposed to the heteronomy which acting from our inclinations produces. As autonomous, obeying only our own rational nature, we demonstrate our own intrinsic value, our worth as ends in themselves, and this is manifest in the form of dignity.

The categorical imperative also takes a social form, “So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as a means only” (GMS pg. 57). The requirement of reason is to respect the dignity of any rational being. Thus our moral duties include duties to others such that we never use them as means only.

Therefore Kant argues that, in acting morally, we must necessarily conceive of our relation to others as “a systematic union of rational beings by common objective laws, that is, a kingdom which may be called a kingdom of ends, since what these laws have in view is just the relation of these beings to one another as ends and means” (GMS pg. 63). This conception, although “certainly only an ideal,” is what determines us in our actions towards one another, both individually and collectively. As a form of the moral law, it must therefore be the foundation of the principles of justice [*Recht*], by which social life is to be coordinated. Thus the universal principle of justice is formulated by Kant as “Every action is just [right] that in itself or in its maxim is such that the freedom of the will of each can coexist together with the freedom of everyone in accordance with a universal law” (MAR pg. 230). Through reason, we can know

how it is that we should structure our social justice in order to further the autonomy of all rational agents.

To summarize Kant's moral theory, then, we have (i) a foundational and formal moral law knowable through reason alone which is determinative of the will; (ii) a moral law understood as universal and therefore the universal will of all moral agents; (iii) autonomy as the self-imposition of the moral law, which gives rise to dignity; (iv) the collective activity of moral agency in the kingdom of ends; and (v) the moral law as the foundation for social justice.

Individuality, Universality, Particularity (IUP)

The antifoundational nature of Hegel's project is particularly evident in his doctrine of the Notion, "the principle of freedom" (EL §160), in which he discusses the relationship of universality, particularity and individuality, the "'moments' or functional parts" of the Notion (EL §163). Although Hegel's treatment of these moments in the *Logic* is primarily from a metaphysical standpoint, it is applicable to the dialectical development that constitutes the *Phenomenology*. The alienated consciousness can be understood as a consciousness that has an inadequate or insufficient grasp of itself in its concrete universality. Only by understanding itself as a concrete universal, "the concept embodied in external reality which is there to realize it, to express the idea involved,"¹⁷ can consciousness truly be said to be free; it achieves its freedom in that realization, which at the same time constitutes its freedom.

In Kantian terms, the Notion can be understood as the conceptual element which is a condition of human experience. However, Hegel understands this conceptual element as constitutive of consciousness. It is in the self-developing

¹⁷Taylor, C., *Hegel*, Cambridge University Press, Cambridge, 1975, pg. 113.

character of the Notion that consciousness can truly be understood. "The Notion, when it has developed into a *concrete existence* that is itself free, is none other than the / or pure self-consciousness" (WL pg. 583).

Kant's mistake, according to Hegel, was in understanding the categories as subjective only, and not as objective. The Notion is not a property of conscious mind, it *is* conscious mind. The categories which Kant puts forward are indeed Notions, but Kant failed to explain adequately their relationship to the "I" of transcendental apperception. Hegel's argument is that the Notion is objective because of its self-development. That self-developing character, the "onward movement" that Hegel calls its "development" (EL §161), manifests itself in the self-particularizing of the Notion as a universal, which is what Hegel means by individuality. "[T]he Notion is to be regarded ... as the *absolute foundation*, yet it can be so only in so far as it has *made* itself the foundation" (WL pg. 578).

The universality of the Notion is its self-identity, its "free equality with itself in its specific character" (EL §163). Universality is not to be understood as an abstraction of common features from particulars, the view characteristic of the understanding. "[T]he universal of the notion is not a mere sum of features common to several things, confronted by a particular which enjoys an existence of its own" (EL §163R). Rather, it is the relation of identity. It is the aspect of things being what they are, not in their specificity, but in themselves. This is evident in the contrast between universality and particularity. Particularity is the character of specificity, of difference. The particularity of the Notion is what makes it the Notion that it is. In terms of knowledge, the particularity of the Notion is those features which make it the Notion of this object, rather than any other. In ethical terms, the particularity of a human being is those needs, desires, etc. which are specific to that person.

The universal is the negation of the particular, but in individuality, the third moment of the Notion, universality and particularity are reflected back into themselves. The individual relates the universal to the particular, relates identity to difference, is the “ground” (EL §164). It is the identity of identity and non-identity, such that each moment relates to the other moments, or as Hegel puts it,

... the universal is the self-identical, with the express qualification, that it simultaneously contains the particular and the individual. Again, the particular is the different or the specific character, but with the qualification that it is in itself universal and is as an individual. (EL §164)

This identity is achieved through the Notion's own self-development. “[T]he notion is what is mediated through itself and with itself” (EL §163R). That mediation is the activity of consciousness itself. Hegel's argument, then, is that experience is the activity of consciousness mediating itself, relating its universal character to its particular character, relating the categories to the objects of experience. “The absolutely concrete is the mind — the notion when it *exists* as notion distinguishing itself from its objectivity, which notwithstanding still continues to be its own” (EL §164).

The doctrine of the Notion is one version of Hegel's argument about the relationship of self and other, that the self is the self it is only by its mediation of itself through another. Although individuality in the doctrine of the Notion “is not to be understood to mean the immediate or natural individual, as when we speak of individual things or individual men” (EL §163), it is applicable to human beings as subjects, as self-conscious experiencing beings. Individuality is the relation of particularity and universality in which one is not reducible to the other, but rather each is in the other. Equally, it is the relating of subjectivity and objectivity. How this appears to consciousness is the subject of the *Phenomenology*, which argues that the self-actualization of the Notion involves practical consciousness,

consciousness that externalizes itself in the world through its action, which allows it to become other to itself and therefore to mediate itself. Ultimately, the vehicle for this externalization or self-alienation (in the sense of *Entäusserung*) is the social order, "the needed background (*Grund*) for the expression of self-assertive individuals."¹⁸ It is the social order which defines and is defined by the individuals who constitute it and whom it constitutes. As Loewenberg puts it, "[h]ere is a concrete universal in social form."¹⁹ Hegel's antifoundationalism will turn out to be dependent upon his understanding of the relationship of individuals to the social whole, and the meaning of freedom that relationship entails. "[I]t would not be inaccurate to view the entire *Phenomenology* as a plea for unity, in which the particular is always defined in terms of the universal, in which individual identity — virtue, happiness, and meaning — is always a function of the over-all community in which persons are citizens."²⁰

Phenomenological Relationship of IUP in Experience

The *Phenomenology* is an examination of experience, Hegel's panoramic representation of the forms of human consciousness. It is "the way to Science" and because of its reflective character "is itself already Science" (PhS ¶188). That is, the *Phenomenology* is an examination of experience as both the appearance of consciousness and consciousness's appearance to itself, which shows their identity. "[T]his *dialectical* movement which consciousness exercises on itself and which affects both its knowledge and its object, is precisely what is called *experience*" (PhS ¶186). That identity, Hegel argues, is socially constituted; the

¹⁸Loewenberg, J., *Hegel's Phenomenology*, Open Court Publishing Co., LaSalle, 1965, pp.151-2.

¹⁹*Ibid.*, pg. 152.

²⁰Solomon, R., *op. cit.*, pg. 491.

condition of the possibility of the experience of consciousness is self-consciousness. In turn, the condition of the possibility of the experience of self-consciousness is its relation to others. Self-relation requires relation to others, for "[s]elf-consciousness achieves its satisfaction only in another self-consciousness" (PhS ¶175). Developing Kant's notion of the transcendental unity of apperception, but denying Kant's noumenal skepticism, Hegel argues that experience is socially constituted — it is Spirit, "'I' that is 'We' and 'We' that is 'I'" (PhS ¶177).

Alienation and the *Phenomenology*

What needs to be established is how alienation is characterized in the *Phenomenology*, that is, what are the characteristics of alienated society which give the *Phenomenology* the structure that it has? Why does a shift occur in the *Phenomenology* from an examination of the categories governing experience (found in chapters 1-4, and the first section of chapter 5) to the concern with practical consciousness and ethical life (the remainder of chapter 5 and chapter 6)? Why does Hegel's idealism seem to lead directly to the "*living ethical world*" of Spirit (PhS ¶442)? The answers to these questions depend upon how we understand Hegel's project, and thus how we understand the intent of the *Phenomenology*.

My interpretation of the *Phenomenology* follows Pippin's non-metaphysical reading of Hegel (as opposed to the metaphysical monist or "cosmic spirit" theologian readings²¹). Pippin interprets Hegel as responding to the issues of Kantian Idealism, specifically Kant's Transcendental Deduction and the transcendental unity of apperception. He claims that

²¹Pippin., R. *Hegel's Idealism*, Cambridge University Press, Cambridge, 1989, pp 3-4

these and many other references to Kant's critical idealism are indispensable for a proper understanding of Hegel's position, and that they point to the basic Kantian issue that clarifies the important ways in which Hegel's position extends and deepens Kantian antiempiricist, antinaturalist, antirationalist strategies. That issue, as Hegel again tells us, is the apperception theme, Kant's claim about the "self-conscious," ultimately the "spontaneously" self-conscious, character of all possible human experience.²²

Seen in this light, the *Phenomenology* replaces Kant's deduction of the objectivity of experience, in a way that overcomes Kant's *Ding-an-sich* skepticism.²³ In brief, Hegel's method is to

try to show, determinately, why, given some putative Notional determination of objects, doubts about whether objects must or even can be so Notionally specified, are the relevant, determinate doubts they are, only as a *consequence* of that Notion's own incompleteness.²⁴

Through his investigation of "Spirit's experience of itself," Hegel aims to show "that the subject's knowledge of itself, finally, properly understood, *counts* as the knowledge of the thing in itself that Kant paradoxically denied."²⁵ The result of this investigation is that

the pursuit of knowledge will ... be reconceived as participation in a social practice or institution, a rule-governed, collective, teleological activity ... given this reconstrual, assessing the rationality of such practices will ultimately involve considering such self-consciously held criteria as, in effect, *social norms*, possible bases for what Hegel will call "mutual recognition."²⁶

How does this relate to the issue of alienation? Extrapolating from Pippin's interpretation of the *Phenomenology*, we get the following. Whereas Kant in the *Critique of Pure Reason* had tried to establish that the concepts which provide the objectivity of our experience are not applicable to morality as such, and thus that morality belongs properly to the noumenal realm of the will, Hegel, in

²²*Ibid.*, pg. 6.

²³Pippin, *op. cit.*, pg. 9.

²⁴*Ibid.* pg. 98

²⁵*Ibid.*

²⁶*Ibid.*, pg. 147.

rejecting this separation of the phenomenal and noumenal, makes morality part of the social rationality, one of the "collectively achieved practices" which determine judgement.²⁷ This means, in turn, that the mind is not divisible into independent theoretical and practical faculties, but that they are united in the will. As Hegel puts it in the *Philosophy of Mind*, "[a]ctual free will is the unity of theoretical and practical mind" (EM ¶481).

Since the objectivity of judgement is socially constituted, to investigate the conditions of the objectivity of experience is to investigate the ways in which mind actualizes itself, the way in which "[a]s will, mind steps into actuality" (EM ¶469). The manner in which mind actualizes itself, or individuals actualize themselves, is both determined by and determinative of the collective rationality. The collectively achieved practices of rationality determine what it is to engage in those practices, i.e. what counts as self-expression for the individual, or in other words the understanding individuals have of themselves. In turn, the self-expressing of individuals in society changes the understanding they have of the collectively achieved practices. As Wood puts it,

The practical project of being a self does not leave either the self or its self-knowledge unaltered. In carrying out the practical project through which they define themselves and their humanity, people acquire a deeper knowledge of themselves and so develop the human nature which it is their project to actualize. In this way, people alter not only their conception of themselves but also the goals involved in this conception. Because this alteration comes about through an alteration of their striving itself, we may even say that people shape or create their own goals and aspirations. Because of this constant interplay of self-understanding, self-actualization, and self-alteration, Hegel refers to the process of creative self-development as a "dialectical" process, to which he gives the name "experience" (PhS ¶86).²⁸

This is the standpoint of Spirit, "the realm of ethical life" (PhS ¶349). Spirit is only achieved, however, "when its certainty of being all reality has been raised

²⁷*Ibid.*

²⁸Wood, *op. cit.*, pg 19.

to truth, and it is conscious of itself as its own world, and of the world as itself" (PhS ¶438). That is, it is only achieved when the separation of objective and subjective is shown to be only an appearance, and when the individual herself realizes this. In the first four chapters of the *Phenomenology*, Hegel examines the former process, and in chapter 5, "Reason," particularly in sections II and III, the latter. It is to these sections that I will now turn.

Chapter 2. The Critique of Foundationalism and Individualism

Sections II and III of "Reason" are an examination of various forms of individualism. Hegel's purpose throughout this detailed examination is to show how individualism fails to be coherent. Individualism rests upon incoherent conceptions of the nature of individuality, and it is Hegel's intent to show that this is so because it fails to recognize that individual self-awareness is only possible in the context of shared understandings.

Reason and Practical Consciousness

How are we to understand Hegel's conception of "Reason" [*Vernunft*], as it relates to practical consciousness, and especially if, as I argue, Hegel's critiques of the standpoints of practical consciousness are not explicitly ethical critiques, but occupy a transitional area between epistemology and ethics, between subjectivity and objectivity, and so on? Reason, for Hegel, is "the certainty that, in its particular individuality [*Einzelheit*], [consciousness] has being absolutely *in itself*, or is all reality" (PhS ¶231).

But what exactly does Hegel mean by the "certainty of being all reality"? That kind of certainty is at the heart of the idealist claim.

For Kant, knowledge could be certain because of the role of the categories. In other words, epistemological certainty is guaranteed by the active role that consciousness plays in knowledge. In the Kantian scheme, however, there is a dualism between knowledge and things-in-themselves, or between epistemology and ontology. Hegel's argument is that such a dualism is spurious, and rests upon an incomplete understanding of the activity of consciousness. Certainty and reality cannot be opposed in such a manner, or all knowledge is prey to skeptical doubts.

This idealism therefore becomes the same kind of self-contradictory ambiguity as Scepticism ... it fails equally with Scepticism to bring together its contradictory thoughts of pure consciousness being all reality, while the extraneous impulse or sensations and ideas are equally reality. Instead of bringing them together, it shifts from one to the other, and is caught up in the spurious, i.e. the sensuous, infinite (PhS ¶238).

So whereas Hegel endorses Kant's ideas of the unity of apperception and the role of the categories, he rejects Kant's deduction of the objective validity of the categories.²⁹ For Hegel, reason is the standpoint of categorial consciousness, the consciousness which makes reality its own through its own activity. For consciousness to make reality its own implies that there is still an element of 'otherness' in reality. "Rational self-consciousness "finds" *itself* in its object and thus begins to overcome the mode of objectness (*Gegenständlichkeit*) as such."³⁰ As Marcuse puts it, "the aspect of "otherness" of self-consciousness, its objectivity, now gets named the "world" ... "world" no longer means a mere object of consciousness but signifies an objectivity that is thoroughly animated, desired, and labored on."³¹ The progression of consciousness from observing nature to observing its own activity will overcome yet preserve, or in Hegelian jargon, sublate, that final 'otherness,' as Spirit, "the universal "medium" of a people."³²

In the two sections under consideration here, Hegel examines the consciousness which understands its relationship to the world in terms of practical attitudes. The transition that takes place within these sections is from subjective individualism to objective individualism.³³ By subjective individualism, I

²⁹Pippin, *op. cit.*, pp. 8-9.

³⁰Marcuse, H., *Hegel's Ontology and the Theory of Historicity*, trans. Benhabib, S., MIT Press, Cambridge, 1987, pg. 229.

³¹*Ibid.*, pg. 267. Marcuse's stress on the concepts of desire and labour stem from the neo-Marxist, Heideggerian interpretation of this text. Although we might question whether it is labour that Hegel is talking about in "Reason", it is obvious that he is discussing the world as actively affected and produced by consciousness.

³²*Ibid.*, pg. 273.

³³I owe my understanding of this distinction to Loewenberg's illuminating discussion, *op. cit.*, pp. 167-174.

mean the attitude that the unity of individual and world, of "its own actuality with the objective being of the world" (PhS ¶356), is effected by the interests and desires of the individual. "Since this unity means happiness, the individual is sent out into the world by his own spirit to seek his happiness" (PhS ¶356). One example of a subjective individualist is the business person who engages in the activity of her profession, not as a means of achieving self-satisfaction through participation in a common endeavour, which would thereby promote and support that endeavour, but purely for personal gain and self-aggrandizement. Another example is the intellectual who engages in intellectual pursuits to display his own brilliance to everyone else. (Hegel explicitly deals with this latter example.) The relationship of the subjective individualist to her world, and thus the significance that the world has for her, is as her "oyster".

Objective individualism, on the other hand, is the conception of the individual as united with the universal (the social practices of the community) in a reciprocally dependent way.³⁴ In one sense, objective individualism is Hegel's conception of how societies actually do cohere. It can be understood as another term for Spirit. However, it has the advantage of emphasizing the role that individualism does play in the realization of Spirit — that Spirit can no more exist without the individual than *vice versa*. As well, it makes clearer exactly what Hegel finds wrong with the form of individuality which understands itself as fulfilling the reciprocal requirements of community, but is in reality self-deceiving.

In the "Self-Actualization" section we see a progression of subjectively individualistic attitudes, which give way in the "Individuality" section to a kind of pseudo-objective individualism.³⁵ The initial standpoint is a consciousness taking itself as individual in opposition to an external world — this is the subjective

³⁴Loewenberg, *op. cit.*, pg. 168.

³⁵*ibid.*, pp. 167-8.

individualist. However, because of the incoherence or instability of these forms, that whole opposition gets taken up by consciousness as its new object. In other words, the differentiation of particular, individual and universal is now understood as lying within consciousness itself. Although this is closer to the truth of Spirit, the concrete form which allows "[t]he universal and the individual [to] come together by reciprocal dependence,"³⁶ it fails to grasp the intersubjective nature of consciousness itself, and thus is a far more pernicious form of subjective individualism because it masquerades as objective individualism, not only to others but to itself. "Self-centered individuals, though perforce participating in a collective life, are prevented by their illusory perspective from grasping the full significance of their actual participation."³⁷

Subjective Individualism: The Actualization of Rational Self-consciousness

The section under consideration here is an examination of various standpoints of practical consciousness. This consciousness is Spirit, "but existing immediately, it is separate and individual" (PhS ¶356). That is, it is the consciousness for which the conditions of its experience are socially constituted, and therefore are constituted by its reciprocal relationship with other consciousnesses, yet for which this certainty, the "certainty of being all reality" (PhS ¶438) is not yet explicit (for it). Consciousness at this stage does not understand what that certainty means for it. It will turn out to mean that experience has an intrinsic ethical dimension, that because the conditions of the objectivity of experience are socially constituted and therefore antifoundational,

³⁶Loewenberg, *op. cit.*, pp. 167-8

³⁷*Ibid.*, pg. 153.

the significance of experience is tied up with the significance of action. Experience turns out to be the actualization of consciousness, the transition from the standpoint of an isolated self opposed to an external world to a self which is constitutive of and constituted by that world.

At this stage of the argument, however, Hegel is examining the possible standpoints of a consciousness which understands itself through its intentions. It understands its relationship to the world entirely through its attitudes to the world, whether in terms of pleasure, in the search for rational order, or in virtuous self-denial. Hegel's aim is to show that intention cannot be understood as a subjective state of mind. That is, intention does not exist outside of action, or rather intention as a purely subjective phenomenon is illusory. No matter what way the practical consciousness tries to understand itself, it finds that its intentions (as opposed to the intentions which it finds given in the world) do not manifest its standpoint in the way it thought they did. The final result is shown to be the unity of intention and action in the objective sphere.

The labour of the individual for his own needs is just as much a satisfaction of the needs of others as of his own, and the satisfaction of his own needs he obtains only through the labour of others. As the individual in his individual work already unconsciously performs a universal work, so again he performs the universal work as his conscious object; the whole becomes, as a whole, his own work, for which he sacrifices himself and precisely in so doing receives back from it his own self. There is nothing here which would not be reciprocal ... (PhS ¶351)

To put this another way, what Hegel is trying to do in these sections is to bracket the notion of shared understandings, in order to show that subjective individualism cannot actually account for its own presuppositions, and thus is dependent upon some kind of conception of Spirit. This is why it also serves a transitional function, from epistemological concerns to ethical concerns. Whereas a subjective individualist wants to establish epistemology to show that the

relationship between individual and world is a subjective one, Hegel wants to show that epistemology itself requires shared understandings, by starting with epistemology and working through individualism to Spirit.³⁸

Hegel's argument for the transition from the isolated self to the socially constituted self is contained in the section under consideration, which is an exploration of the meaning of

... the *practical* consciousness, which steps into its world which it finds already *given*, with the aim of duplicating itself in this distinct form of something separate and individual, of producing itself as *this* individual, as this existent counterpart of itself, and of becoming conscious of this unity of its own actuality with the objective being of the world. (PhS ¶356)

That is, consciousness is certain of itself, and understands itself categorically. However, it has as yet to experience its categorical nature as it exists in the world.

It is Spirit which, in the duplication of its self-consciousness and in the independence of both, has the certainty of its unity with itself. This certainty has now to be raised to the level of truth; what holds good for it *in principle*, and in its inner certainty, has to enter into its consciousness and become *explicit* for it. (PhS ¶347)

The dialectic of the argument is as follows. In each of the standpoints that Hegel considers, consciousness sets itself up in opposition to its existent reality, the "world which it finds already given." Consciousness understands itself in the opposition to that world. However, Hegel argues that in each case, the world shows up the inadequacy of the understanding that consciousness has of it. Whereas the standpoint of consciousness is as something isolated from the world, which is what enables it to be opposed to the world, the truth is that consciousness is not isolated; instead, it is the world of shared understandings

³⁸Hence the circularity of the *Phenomenology*. Once consciousness has experienced all the forms as Hegel sets them out, it can begin again with epistemology, only now from the perspective of shared understandings.

which enables consciousness to understand itself as isolated and foundational. The realization of this state of affairs necessitates a change in consciousness's self-understanding, with the final result that the opposition itself is finally overcome, and we reach the point where consciousness understands itself as constituted by the world and constitutive of it.

The connection that Hegel makes between epistemological issues and ethical issues, which sets up the investigations of chapter six, "Spirit," into the various forms of "ethical life", is through the use of the concepts of universality, particularity, and individuality. Epistemologically, it is in terms of the objectivity of the judgements of experience that these concepts are related. The question that Hegel is addressing, in attempting to solve the legacy of Kantian skepticism, is how the particular experience of an individual subject can be objective. In Hegel's terms, the issue becomes the connection between the universal, the particular, and the individual in experience. That is, how can the experience of an individual subject that is particular to that subject be at the same time universal, and how is it that the individual subject is aware of this? In terms of ethics, the relationship is between the significance of an individual's action for the subject and for others. Is action to be understood as the actualization of a capricious will, the actualization of a universal law, or in some way both? Hegel's answer to both questions is the same. It is because of the social dimension of experience, because the individual is constituted by her society and is constitutive of it, that a subject's actions can have significance to her as expressive of herself, yet also can express social rationality, and be understood both subjectively and objectively as doing so.

Pleasure and Necessity

The simplest form of practical consciousness, of understanding ourselves as actors in the world, Hegel argues, is the form of "pleasure," in which the aim of consciousness is "to give itself as a particular individual an actual existence and to enjoy itself as an individual in it" (PhS ¶358). In aiming to express myself in the world, to give myself actual existence, I understand myself in terms of those features which are particular to me. My concern is to find satisfaction in my actions, through satisfying my impulses. Hegel calls these "the individual moments which for self-consciousness are valid in their isolation. They have the form of an immediate will or *natural impulse* which obtains its satisfaction, which is itself the content of a fresh impulse" (PhS ¶357).

Why should this be the starting point of the argument? Why start with what appears to be some kind of hedonism? Hegel's point is, I think, that to start with any other standpoint, say virtue ethics or rights-theory, is to presuppose already some kind of relationship between the individual and the universal. The problem is, however, why any individual, even one who is aware of the socially constituted nature of rationality, should in her actions be concerned with expressing universality, or in more vulgar terms, be concerned with whether her actions conform to social standards. Hegel wants to show that all action is expressive of universality, but he cannot presuppose this.

Thus we start with the understanding of action as satisfying immediate will. In her self-conscious awareness, the individual is sure that her immediate will, her natural impulses, are indeed hers. They cannot belong to anyone else, because of the certainty she has of them. Her immediate will is essential to her self-understanding. In her actions, then, she wishes to demonstrate her

individuality by satisfying her particularity. "[S]elf-consciousness, by behaving as a being-for-self, aims to see itself as another independent being" (PhS ¶360). The world is out there to be used for this end; the "world is her oyster," as the saying goes. Hegel calls this "the Spirit of the earth, for which true actuality is merely that being which is the actuality of the *individual* consciousness" (PhS ¶360).

The aim of consciousness here is to actualize itself in its own individuality, and to that extent it understands its actions only insofar as they are expressive of it. "It plunges into life and indulges to the full the pure individuality in which it appears" (PhS ¶361). Hegel is quick to point out, however, that this kind of activity is not one of destruction. Unlike desire in "Self-consciousness" (PhS ¶167-177), this standpoint is not one in which individuality is asserted at the expense of others. The individual does not actualize herself by negating the objects with which she comes in contact. On the contrary, such objects are necessary in order for consciousness to satisfy its impulses. However, in her self-satisfying activity, the individual is not concerned with the actualization of those objects. All that counts for the individual, the meaning of action, is her self-expression. Since this is related to self-understanding, Hegel says that the relationship between subject and object is conceptual. "[T]his element which gives to both a separate actuality is rather the category, a being which is essentially in the form of *thought*. It is therefore the *consciousness* of independence ... which preserves the individuals each for himself" (PhS ¶362).

The standard criticism in ethical theory of such a standpoint is that the pleasure-seeking individual fails to take into account the need of others to express themselves. In my activity as a pleasure-seeker I fail to enable others to

actualize themselves. However, this is not Hegel's argument, and rightly so, for such a criticism brings in the element of universality, of acting for others.³⁹ Rather than impose that universality upon a standpoint which is based on its explicit rejection, Hegel seeks to show that the standpoint itself involves universality. Although the individual explicitly understands herself only in terms of her natural impulses, her particularity, Hegel thinks that such a self-understanding actually turns out to be a form of universality.

The argument is this. Given that consciousness here understands itself as purely particular, but at the same time recognizes the existence of others, the same category involved in self-understanding is involved in the understanding of others. My belief that the meaning of my actions depends upon understanding myself as these particular impulses which are to be satisfied implies that I understand others in the same way, as acting to satisfy their particular impulses.⁴⁰ My self-understanding shows itself to have a universal moment, in that it is equally applicable to others. Thus the true consequence of this standpoint is that the action of all individuals is understood (both by themselves and by others) as satisfying impulses, and thus human nature as active is the satisfaction of impulses, rather than the satisfaction of my impulses. What was supposed to be a purely particular standpoint has turned out to be a universal category. "[I]t is not as *this particular* individual that [self-consciousness] becomes an object to itself, but rather as the *unity* of itself and the other self-

³⁹See for instance Wood's discussion of egoism and Kantian morality, *op. cit.*, pp. 164-5.

⁴⁰This argument depends on Hegel's notion of self-consciousness as mutual recognition (see above, pg. 19 and PhS ¶174-8). The objection could be raised that an individual still understands himself and his actions even if separated from any social interaction, e.g. Robinson Crusoe. Hegel's response would be that he can do so because he is already self-conscious. That is, he is a social being who is isolated from his society, not an asocial being.

consciousness, hence as an individual that is only a moment, or a *universal*" (PhS ¶362).

The standpoint of the pleasure-seeker turns out to be self-contradictory. What was supposed to be expressive of my particularity turns out to be universally applicable, and consciousness really understands itself as the abstract relation of difference (consciousness and its world) and unity (the satisfaction of natural impulses).

The *object*, then, that is for self-consciousness as it takes its pleasure its essence is the expansion of those empty essentialities of pure unity, of pure difference, and their relation; beyond this, the object which the individuality experiences as its *essence*, has no content. It is just what is called *necessity*" (PhS ¶363).

The necessity which Hegel talks about is a form of fate. Understood as pleasure-seeking, to be human is to be driven to satisfy natural impulses. Understanding myself purely as this particular individual is really understanding myself as a pleasure-seeking machine. Far from being particular to me, this is the universal lot of human beings, understood in this way, and there are no resources in this standpoint for mediating between the particular and the universal, since it is predicated upon their separation. Thus this form of self-understanding is alienating. In understanding myself in this way, I alienate myself from myself, as this particular individual. "This is as far as the manifestation of this form of self-consciousness goes. The final moment of its existence is the thought of the loss of itself in necessity, or the thought of itself as a being that is absolutely *alien* to it" (PhS ¶365).

The Law of the Heart and the Frenzy of Self-conceit

Pleasure-seeking as a form of self-understanding fails to allow consciousness to see itself as an individual. Rather, it finds that pleasure-seeking is pure universality, a kind of necessity or fate in which individuality perishes. Hegel now turns to another form of individualism in which consciousness tries to give individual content to necessity. Consciousness understands its individuality as an expression of the universality which is within it, rather than as something entirely alien to it. This immediate universality is the law of the heart. Hegel indicates that this form of individualism cannot be understood as a development from the previous form, because the pleasure-seeking individual has no conceptual resources for understanding herself as following some kind of principle or law.

This *transition* of its living being into a lifeless necessity therefore appears to it as an inversion which is not mediated by anything at all. The mediating agency would have to be that in which both sides would be one, where, therefore, consciousness recognized one moment in the other: its purpose and action in fate, and its fate in its purpose and action, that is, would recognize its *own essence* in this *necessity*. (PhS ¶365)

Thus the transition is for such a consciousness “a sheer leap into its antithesis” (PhS ¶365).

In positing its individuality in terms of inner law, consciousness “knows that it has the universal of law *immediately* within itself, and because the law is *immediately* present in the being-for-self of consciousness, it is called the *law of the heart*” (PhS ¶367). The assertion of my individuality, and thus my self-understanding, depends on finding my own inner essence as a reconciliation of necessity and desire. “The law, therefore, which is immediately self-consciousness’s own law, or a heart which, however, has within it a law, is the *End* which self-consciousness proceeds to realize” (PhS ¶368). Proceeding to realize this end implies understanding the world as a realm of alien laws. That is,

since law is now the concept which gives significance to my actions, it is also the concept in terms of which I find significance in the world. Whereas the pleasure-seeking consciousness found the world to be constituted by particularities, the consciousness characterized by the "law of the heart" finds that "[t]his reality, is, therefore, on the one hand a law by which the particular individuality is oppressed, a violent ordering of the world which contradicts the law of the heart, and, on the other hand, a humanity suffering under that ordering, a humanity that does not follow the law of the heart, but is subjected to an alien necessity" (PhS ¶369).

For the preacher of the law of the heart, the consciousness which does not realize itself in terms of the law within it but rather subordinates itself to the law it finds in the world is an alienated consciousness. It can only overcome its alienation by acting in such a way as to realize the law of the heart. But what exactly is the "law of the heart"? On the one hand, it seems to involve the notion of ordered activity. That is, unlike the satisfaction the pleasure-seeker was to obtain by acting on capricious impulses, satisfaction here is to be found in acting in an ordered manner. The necessity which the law involves is the necessity of inner harmony, that one's actions always conform to the inner dictates in a consistent way. One aspect of this is the rejection of external necessity, of the ordering of the world which consciousness finds given to it. Since this external necessity does not have its foundation in the individual's subjective ideals, it can only be repressive, and therefore must be overthrown.

The law, on the other hand, which confronts the law of the heart is separated from the heart, and exists in its own right. Humanity which is bound by this law does not live in the blessed unity of the law with the heart; but either lives in their cruel separation and in suffering, or at least dispenses with the enjoyment of *itself* in obeying the law, and lacks the consciousness of its own excellence in *transgressing* it. (PhS ¶371)

Realizing the law of one's heart is therefore tied up with rejecting any other law.

On the other hand, it involves externalizing the inner dictates for others to see and recognize as an ideal which they should follow. In this respect, consciousness poses as acting for the welfare of all. In realizing itself, it does not merely aim at its self-realization, but at enabling others to achieve their own self-realization. In seeking to free itself from its alienated existence, it aims at freeing others as well (or so it believes).

This individuality therefore directs its energies to getting rid of this necessity which contradicts the law of the heart, and also the suffering caused by it. And so it is no longer characterized by the levity of the previous form of self-consciousness, which only wanted the particular pleasure of the individual; on the contrary, it is the earnestness of a high purpose which seeks its pleasure in displaying the *excellence* of its own nature, and in promoting the welfare of mankind. (PhS ¶370)

The aim of such self-actualization is therefore to show that the law of the heart is applicable to all, that self-satisfaction and self-understanding can only be achieved by finding the law within one's own heart. "What it realizes is itself the law, and its pleasure is therefore at the same time the universal pleasure of all hearts" (PhS ¶370). This must be so because it is the end towards which human being is oriented.

Who are the examples for the law of the heart? According to Loewenberg, Hegel is influenced by early romantic works such as Goethe's *Werther* and Schiller's *Robbers*.⁴¹ Solomon suggests Rousseau's *Emile* and *Confessions*, "Jean-Jacques the self-righteous, internally good man, corrupted by society".⁴² In the law of the heart we have a caricature, perhaps, of all reformers, all those who

⁴¹Loewenberg, *op. cit.*, pg. 158.

⁴²Solomon, R., *op. cit.* pp. 492, 506.

would "save" us by telling us to find our salvation within. It is the attitude that is at the root of Joseph Campbell's message, to "follow your bliss".⁴³

Although consciousness is antagonistic towards the external law because it oppresses the law of the heart, the two forms of law share the feature of necessity. Therefore consciousness must find a way to distinguish the two forms of necessity, in order that it may debase one and elevate the other. It finds that the law of the heart expresses individuality, whereas the external law does not. By following her inner dictates, the individual can express her individuality in a lawful, ordered way, whereas following the external law only oppresses individuality. "[F]or the heart, what is essential is not the bare conformity to law as such, but that in the law it has the consciousness of *itself*, that therein it has satisfied *itself*" (PhS ¶371).

This distinction is fatal for the law of the heart, for the individual only succeeds in making the the law of her heart actual by getting others to recognize it. Once it is recognized and accepted by others, however, it no longer belongs to the individual. That is, it becomes something that individuals follow because it exists, and not because it was willed by a particular individual. The individual who willed it then loses the self-satisfaction of having it recognized as the law of her own heart.

For instance, suppose my "bliss" consisted of the ideal of polygamous free love, yet the existent law prescribes monogamy. If I succeed in making my inner law actual, then polygamy will become the way of the society, and thus a standard or law which others follow. However, they do so not because it represents my inner "excellence", as Hegel puts it, but because it is now the

⁴³"If you follow your bliss, you'll have your bliss." Campbell, J., and Moyers, W., *The Power of Myth*, ed. Betty Sue Flowers, Doubleday, New York, 1988, pp. 91.

existent law. Thus I fail to obtain the recognition which my self-expression was supposed to produce. This is the essential contradiction that Hegel outlines in this section, and the real meaning of alienation for this consciousness. "[I]n this realization, the law has in fact escaped the individual; it directly becomes merely the relation which was supposed to be got rid of" (PhS ¶372).

The contradiction is not just that as realized, the law becomes alien to the individual, but that in that realization, consciousness acknowledges the alien necessity which had confronted it as being due to her own activity. Although the realization of the law removes it from the individual's particular satisfaction, it remains her act. Although my polygamous "bliss", once it is actualized, becomes external to me, any critic of this new order (say a die-hard monogamist) can still blame the polygamous state of affairs on me. "The individual who wants to recognize universality only in the form of his immediate being-for-self does not therefore recognize himself in this free universality, while at the same time he belongs to it, for it is his doing" (PhS ¶372).

The result is that the law of the heart turns out not to be the unity of individuality and universality, as it was supposed to be. Rather, it is only universality, which is not particular to this individual as the law of her heart. In the existent law, consciousness saw only the form of universality, as an alien necessity, but the law of the heart turns out to be the same. "The deed is *supposed* to have immediately the status of a universal; that is to say, it is in truth something particular, and has merely the form of universality; the *particular* content of the heart *as such* is supposed to have the status of a universal" (PhS ¶373). Because of this formalistic aspect, the individualistic pleasure that was supposed to result in the realization of the law of the heart is an illusion. Once the

law is actualized and acknowledged as such by others, it takes on a life of its own. Others cannot identify the realized law with the law of their own hearts, as was intended. On the contrary, others find it identical to the way consciousness found the initially existent law. "Consequently, others do not find in this content the fulfillment of the law of *their* hearts, but rather that of someone else; and, precisely in accordance with the universal law that each shall find in what is law *his* own heart, they turn against the reality *he* set up, just as he turned against theirs" (PhS ¶373).

Thus consciousness is doubly alienated, for its standpoint is doubly self-contradictory. It is alienated from its own deed, because self-actualization is the actualization of something alien to it. The individuality which was supposed to supply the universal with content disappears in the externalization of the law. As well, consciousness is alienated from other individuals, for the universal aspect of its self-actualization, in which "the universal pleasure of all hearts" was supposed to be realized, turns out to be, for others, particular to this individual, and thus is rejected on its own terms. For this reason, Hegel says that "instead of acquiring a being of its own, it therefore attains to being the alienation of itself" (PhS ¶374).

The end result of this attitude of consciousness is that, far from realizing individuality, it sets up a "universal resistance and struggle of all against one another" (PhS ¶379). If self-understanding means achieving inner harmony in a way that is displayed for all to see and to acknowledge, then each individual's self-understanding is opposed to that of all others, and the harmony that was sought collapses into sheer conflict.

Hegel shows here the conceptual contradictions contained within a standpoint such as conscience ethics, subjectively understood, and his claim is

that self-actualization does not mean legislation by consciousness of its particular understanding of universality. Overcoming alienation cannot be accomplished by attempting to replace everything which appears as external and alien with internal and familiar versions of the same. Yet merely attempting to identify oneself with the existent law is unsatisfactory as well, for it equally fails to express individuality. That is, although the law of the heart reveals itself to be self-contradictory, Hegel does not want to argue that acquiescing to the existent law will satisfy our self-understanding. The existent universal order is indeed “a spiritual universality and Substance, in which those in whom this spiritual substance has its actuality live as individuals, and are conscious of themselves” (PhS ¶378). However, it is as yet unclear how individuals can identify with that order, i.e. find their particularity in it, without coming into conflict with one another. The final form of the actualization of self-consciousness attempts to solve this problem, through the denial of individuality itself.

This shape of consciousness which, in the law, is aware of *itself*, which knows itself in what is *intrinsically* true and good, not as an individuality but only as it becomes an *essential* being; and which knows individuality to be perverted and the source of perversion, and therefore knows it must sacrifice the individuality of consciousness — this shape of consciousness is Virtue. (PhS ¶380)

Virtue and the ‘Way of the World’

In the two previous standpoints of practical consciousness, we have seen how the opposition on which the individualist’s self-understanding depends is illusory. The characteristics that consciousness understands to be constitutive of the world turn out to be constitutive of consciousness instead or as well. Hegel has tried to show that these two forms of individualism are predicated on a false opposition between self and world. In “Virtue and the way of the world,” we are presented with a consciousness that tries to forego explicitly its own individuality.

The virtuous consciousness is an attempt to overcome the alienation of the two previous forms by an explicit denial of itself. It recognizes the conflict of individual and universal within it, and also sees that conflict in the world. "Here, in the relationship of virtue and the 'way of the world,' the two members are each severally the unity and antithesis of these moments [of law and individuality], or are each a movement of law and individuality towards one another, but a movement of opposition" (PhS ¶381). This form of consciousness is a battleground between good and perversion, which requires self-sacrifice to realize the good. Through its self-sacrifice, good will be realized in the world as well as in the self. "In this individual sacrifice, the individuality in the 'way of the world' is at the same time eradicated, for it too is a simple moment common to both" (PhS ¶381).

At the same time, the universal which virtue champions must be free of individual taint, and thus it cannot be peculiar to the individual, as was the law of the heart. Rather, virtue sees it as having its existence in the 'way of the world' as well. "Further, the 'way of the world', too, is for virtue not merely this universal which is *perverted by individuality*; on the contrary, the absolute *order* is likewise a common moment..." (PhS ¶381). The virtuous individual therefore has a double task. Her self-actualization must be understood to be both the sacrifice of her individuality to the universal and the sacrifice of the individuality found in the 'way of the world' to that same universal.

The difference between virtue and the way of the world is in the relationship of these characteristics. The virtuous individual seeks to deny her individuality, in order to realize the universal. "True discipline requires nothing less than the sacrifice of the entire personality as proof that individual

peculiarities are in fact no longer insisted on" (PhS ¶381). In the 'way of the world', the situation is reversed. "In the 'way of the world', individuality behaves in a way which is the reverse of its behaviour in the virtuous consciousness, viz. it makes itself the essential moment, whereas what is *intrinsically* good and true it subordinates to itself" (PhS ¶381).

The 'way of the world' comprises the two forms of individualism previously examined, namely, "the single individuality which seeks its [own] pleasure and enjoyment" and "the individuality which claims to be law in its own right, and in its own conceit disturbs the existing order" (PhS ¶382). Although both attitudes involve universality, it is a perverted universality. "The universal, then, does display itself in both aspects as the might which moves them, but the *existence* of this might is merely universal perversion" (PhS ¶383). That is, as long as the universal aspect of these standpoints is only an abstraction in consciousness, it is the true universal. As existent, however, it is a perversion of universality.

The conflict between virtue and the 'way of the world' can be found in the conflict between Socrates and the Sophists. Socrates' commitment to the ideal that "[w]hatever the popular view is, and whether the alternative is pleasanter than the present one or even harder to bear, the fact remains that to do wrong is in every sense bad and dishonourable for the person who does it ... in no circumstances must one do wrong"⁴⁴ exemplifies the virtuous consciousness, willing to sacrifice its individuality in order that the universal be realized. Socrates preferred to accept his death sentence rather than escape, for in sacrificing his life he thereby realized the universal good.

⁴⁴Plato, *Crito*, 48E, in *The Last Days of Socrates*, trans. H. Tredennick, Penguin Books, Middlesex, 1985, pg. 88.

The 'way of the world' is the world of the Sophists whom Plato and Socrates condemned. Protagoras' claim that "[m]an is the measure of all things; of things that are, that they are; of things that are not, that they are not",⁴⁵ puts forward the view that understanding of the world is dependent upon individuality. There is a kind of universality in that things are indeed measured, but it is empty of content, and therefore is subordinate to individuality. More cynical, perhaps, is Thrasymachus' claim that "justice is simply that advantage of the stronger".⁴⁶

Universality is subordinated in the 'way of the world' because it "is not present for consciousness as an *existent reality*, but as the *inner* essence of the 'way of the world'" (PhS ¶381). The universal only exists in the conflict between individuals, some of whom are pleasure-seekers, others who follow the law of their hearts. It is the "invisible hand" in the market-place of the social order.⁴⁷ As Plato quotes Protagoras, "[m]y position, then, is that whatever seems right and admirable to a particular city-state is truly right and admirable — during the period of time in which that opinion continues to be held; and that it is the wise man's task, when the people are afflicted with unsound beliefs, to substitute others so that they seem true and therefore *are true*".⁴⁸

Unlike the law of the heart, virtue is to be realized in the world, as well as in the virtuous individual. Socrates' life is intended by him to be an example to others. This implies that self-sacrifice is understood as possible in the way of the world as well as for the virtuous consciousness. "The universal is true for the virtuous consciousness in its *faith*, or is *implicitly true*; it is not yet an actual, but

⁴⁵Protagoras, "Fragment 1", in *The Presocratics*, ed. P. Wheelwright, Bobbs-Merrill Educational Publishing, Indianapolis, 1983, pg. 239.

⁴⁶Plato, *Republic*, 338, in *The Presocratics*, *op. cit.*, pg. 259.

⁴⁷Loewenberg, *op. cit.*, pg. 163.

⁴⁸Plato, *Theaetatus*, 166d, in *The Presocratics*, *op. cit.*, pg. 243.

an *abstract*, universality; in this consciousness itself it is present as a *purpose*, in the 'way of the world' as an *inner principle*" (PhS ¶384). Virtue and the way of the world conflict in their activity, their purpose, and in their self-understanding.

For virtue, self-denial is its "weapon," and it seeks to produce that self-denial in the way of the world through its own activity of self-denial. "For in so far as it is an *individuality*, it is the *activity* of the conflict it wages with the 'way of the world'; but its aim and true nature is to conquer the reality of the 'way of the world'" (PhS ¶383). For the way of the world, its "weapon" is self-assertion. It turns out that the way of the world is the stronger of the two, because virtue cannot remove individuality. If, on the one hand, the virtuous consciousness is completely successful in its self-sacrifice, then it leaves the field open to the individuality present in the way of the world. On the other hand, the virtuous consciousness which concerns itself with overcoming individuality in the way of the world is in effect self-deceiving, because it does not in fact sacrifice itself. Hegel indicates this metaphorically, calling "the knight of virtue's own part in the fighting" a "sham-fight." Virtue dare not fight seriously, "[f]or what he turns against the enemy and finds turned against himself, and what he runs the risk of wasting and damaging both in his own case as well as that of the enemy, is not to be the good itself" (PhS ¶386). This "good itself" consists of the abilities that consciousness has to use for its own self-sacrifice, and the virtuous consciousness sees those abilities as present not only in itself but also in the way of the world.

The way of the world appears to be the realm of pure individuality, where the universal good is sacrificed so that individuals may realize their goals. Nevertheless, in its triumph over virtue, the way of the world is also conquered,

for it reveals that it does in fact involve the kind of universal activity that it tries to reject. Even though the only purpose of individuals is self-assertion, the sum of all individuals' actions is an implicit universal. That is, it is a universal in the sense that laws of economic activity emerge in a free market. "The individuality of the 'way of the world' may well imagine that it acts only for *itself* or in its own interest. It is better than it thinks, for its action is at the same time an implicitly universal action" (PhS ¶392). For instance, Conrad Black and Donald Trump may consider their activities only in terms of their own individual self-assertion. Nevertheless, in pursuing their financial triumphs (and disasters) they sometimes provide economic benefits for others, in the form of employment, dividends and so on. Although this is not their purpose, it happens all the same, which is the reason Hegel calls this universal implicit, an inner principle.

Summary

This section of "Reason" is an investigation of the consciousness that attempts to produce itself, that is, make itself actual or objective to itself through its practical attitudes to a world which is an "other" for it. What Hegel has shown is that such an attempt cannot succeed, because it fails to account for both individuality and universality. The pleasure-seeking consciousness that was concerned only with the satisfaction of particular desires turned out to involve universality in the form of the necessity of satisfying those desires. The immediate universality of the law of the heart, the attempt to realize inner principle in a way that would harmonize self and world, turned out to be universal conflict. Finally, the virtuous consciousness that wants "to consist in bringing the

good into actual existence by the sacrifice of individuality" (PhS ¶389), finds that its supposed self-sacrifice is really a form of self-assertion.

"[I]ndividuality is the principle of the *real* world; for it is precisely individuality that is consciousness, whereby what exists *in itself* exists equally for *an other*" (PhS ¶389). The 'way of the world' that virtue opposed as a perversion of good "does pervert the Unchangeable, but it perverts it in fact from the *nothing of abstraction into the being of reality*" (PhS ¶389). The self and the good, individuality and universality, turn out to require each other for their actualization. "With this lesson in mind, the idea of bringing the good into existence by means of the sacrifice of individuality is abandoned; for individuality is precisely the actualizing of what exists only in principle ... the movement of individuality is the reality of the universal" (PhS ¶391).

Having shown that neither individuality nor universality can be asserted at the expense of the other, Hegel now wants to examine the consciousness that represents the unity of these two, that is, understands itself as realizing the universal through its own individual actions. The subjective individualist is inherently alienated, because her practical attitudes fail to secure for her the recognition that her self-understanding requires. That is, when those practical attitudes are translated into actual existence, their significance for the actor changes. Their meaning changes in the way they are reflected back to her by others. In a sense, they are indeterminate in meaning. In the final section of "Reason", Hegel explores the possible attitudes of the consciousness which tries to understand itself through its actions, rather than through its practical attitudes. For this consciousness, its activity is its purpose. Self-certainty is to be found in action itself, not in conceptions of action.

Thus the activity of individuality, all that it does, is in its own self an End; the employment of its powers, the play of these powers in action, is what gives them life; otherwise they would be a lifeless in-itself. But the in-itself is not an unrealized abstract universal that lacks an existence, but rather is itself immediately the present, real existence of the process of individuality. (PhS ¶393)

Individualism's Last Stand: Individuality which takes itself to be Real in and for itself

The dialectic of pleasure and necessity, the law of the heart, and virtue and the way of the world can be seen as an examination of the foundationalism of subjective individualism, the attempt to find the significance of human existence in practical attitudes. The attempt fails because it is always possible to redescribe the significance of the practical attitude in terms which involve the opposite of what consciousness intends. For instance, the consciousness which understands itself as the satisfaction of particular desires is led to realize that such satisfaction can be described in universal terms, in which individuality plays no part. How is it possible for that consciousness to see its activity solely in terms of its own individual desires, once it sees that satisfaction of desire is a universal necessity, according to its own self-conception?

The final section of "Reason" is an examination of the possibility that self-understanding can be obtained coherently by a consciousness which understands its purpose as activity as such. Self-understanding now depends upon the ways in which the individual can express herself through her actions, and therefore it depends on the individual's development of her gifts and capacities. This is still a form of individualism, because shared understandings play no role in determining what kinds of self-expression count.

Hegel begins this section with a preliminary exposition of the concept of action which is operative in this section. Consciousness now understands itself

as active, which means that its universal, objective character is its capacity to act, whereas its particular character is the actions which it undertakes. As Hegel puts it, "End and essence are for it henceforth the spontaneous interfusion of the universal — of gifts and capacities — and individuality" (PhS ¶394). What will concern consciousness in the Spiritual Animal Kingdom is its own self-expression through its actions, in other words its expression of its particularity through its universal capacity to act. Consciousness is no longer concerned with the abstract universals of practical consciousness, but now understands its universality as having reality only in its activity. "Action is in its own self its truth and reality, and individuality in its setting-forth or expression is, in relation to action, the End in and for itself" (PhS ¶394).

What will be considered here, then, is the relation between the individual and her action, both as it appears to 'us' and as it appears to the individual herself. At this point we are still not considering the ethical as such. Hegel's concern here is not to discuss how action is to be understood as it affects others, but rather how action is to be understood as expressive of the reality of consciousness, how action provides consciousness with objectivity. "[C]onsciousness has cast away all opposition and every condition affecting its action; it starts afresh from *itself*, and is occupied not with an *other*, but with *itself*" (PhS ¶396).

Action, then, is not to be understood as consciousness imposing itself upon the world. Since there is no reality outside of consciousness, and since consciousness now understands itself as active, reality is the activity of consciousness.

Action alters nothing and opposes nothing. It is the pure form of a transition from a state of not being seen to one of being seen, and the content which is brought out into the daylight and displayed, is nothing else but what this action already is in itself. It is *implicit*.

this is its form as a unity in *thought*; and it is *actual* — this is its form as an *existent* unity.
(PhS ¶396)

The Spiritual Animal Kingdom

The individual consciousness now conceives of its universality as activity; however, as a particular consciousness, "a *single* and *specific* one," activity is as yet abstract. "The absolute reality which it knows itself to be is, therefore, as it will become aware, an *abstract, universal* reality lacking filling and content, merely the empty thought of this category" (PhS ¶397). That is, although consciousness understands itself as active, it remains to be made explicit for this consciousness how it achieves its satisfaction, its self-certainty, through its action. How is the universality of the active consciousness to be reconciled with its particularity?

The answer lies in the way action splits up into particular and universal moments. The limitation constituting the particularity of consciousness, which Hegel calls "original determinate nature," exists as the specific qualities which make this individual who she is, and which she actualizes through her activity. For instance, to be a musician rather than an athlete implies having certain specific qualities, such as facility with an instrument, some conception of music, etc., rather than others, such as stamina, coordination, understanding of strategies, and so on. It is a limitation of relation, in the sense that what constitutes the specific qualities is their relationship with other qualities⁴⁹

This determinateness Hegel calls "negativity," in the sense that the qualities are related by negating, or being different from, one another. Determinate nature is implicit, however, for it is only that which is to be self-actualized through the activity of consciousness. Self-actualization requires activity, for it is the concretization of intention. Original determinate nature has

⁴⁹This is the argument of chapter II of the *Phenomenology*, "Perception".

replaced intention, because it grounds intention, in the sense that practical attitudes depend upon what kind of a person you are, rather than being abstract. In the previous section, Hegel argued that intention was inadequate for self-understanding, because it has to refer to the activity in which intention is realized. Original determinate nature already involves such a reference.

Since consciousness now understands itself as the relationship of its activity to its original determinate nature, what needs to be examined is how the determinate nature is made explicit for consciousness. That is, how does consciousness become aware of its determinate nature through its activity? Hegel here draws a distinction between action and activity. Activity is "the general process of negativity," whereas action involves the determinateness which it is to realize. Thus action divides into end, means and result, as the implicit nature of consciousness becomes, through its activity, explicit for itself.

This movement requires the identity of content of the implicit and explicit. "The Notion of this sphere requires that these various aspects be grasped in such a way that the content in them remains the same without any distinction..." (PhS ¶400). That is, in order for an action to be an action, to be the movement from implicit to explicit, or the means to the result of an end, the explicit result must be identical in content to the implicit end. "[A]ction simply translates an initially implicit being into a being that is made explicit" (PhS ¶401). Otherwise, there is no connection between the three distinctions, and thus no action. Without the determinateness of the content, there is only absolute movement, or pure negativity. Consciousness is not able to realize itself as universality, as virtue has shown. Thus, its determinate content must be preserved through its activity.

Consciousness understands itself on the one hand as a passive determinate nature, its "*special* capacity, talent, character," and on the other as the activity of making that nature explicit to itself. "Consciousness must act

merely in order that what it is *in itself* may become explicit *for it*; in other words, action is simply the coming-to-be of Spirit as *consciousness*" (PhS ¶401). Because that determinate nature is implicit until consciousness makes it explicit, how does the individual know what to do to actualize herself until she has done it?

This circularity is only apparent, however, for individuality is activity and thus is always in the process of realizing itself. It is analogous to the problem of beginning. With a beginning, the question is always, "where to begin?" The process of answering that question is already beginning, and thus by asking the question, one has already begun.

Similarly, with the action of self-realization, the individual is always already in the process of acting, without which she would not be an individual. To be an individual is to be active, for this form of consciousness, and thus its implicit nature is always already becoming explicit for it.⁵⁰ Individuality in this way circumvents the knight of virtue's dilemma, i.e. how to act without being particular and in doing so failing to realize the understanding the virtuous consciousness has of itself. Individuality is always realizing its particularity, and so consciousness and its self-understanding are identical.

A disparity does arise, however, when action is considered in terms of its result. For as a result, consciousness makes itself explicit in an objective form not only for itself, but for others. What it makes explicit, however, is not its universal activity but its particular nature. "[T]he work, like the individual's original nature which it expresses, is something specific" (PhS ¶ 402). For instance, the work done in writing this thesis is the end product, and thus as a scholar I realize

⁵⁰This is a strong existentialist theme in Hegel's philosophy of action that gives some credence to Kojève's Heideggerian reading of Hegel., *op. cit.*

myself in a way that others view as a product, a 'work done' [*Werk*], as my particular thoughts on Hegel, not as the activity (thinking about Hegel?) as such.

As individuals, we understand ourselves in relation to others, for others appear to us through their process of self-actualization, which is evident to us in the results of their actions. The action of others appears as "work done," what has been achieved in their activity, just as my action appears to others as what I have achieved. Ultimately, the notion of action as self-expression fails to achieve the universality of consciousness. Just as with the law of the heart, here other consciousnesses find my work as an alien reality, expressing my particularity rather than the universality of consciousness in action. Unlike the knight of virtue's dilemma, here the interpretive gap is between the way the individual understands what she has done and the way others understand it. Although I view the writing of this thesis as an act of self-expression, for others it is yet another work of scholarship on Hegel, particularly his ethical theory, etc., and is judged so by them. In other words, my universality, as the activity of working on interpreting Hegel and making my implicit thoughts explicit, only ends up expressing my particular thoughts on Hegel.

It does succeed in expressing my individuality, however, for there is no other criterion against which my work can be measured. The idea that one could compare works and therefore qualitatively judge different individuals goes beyond the "essential nature of the work, which is to be a self-expression of the individuality" (PhS ¶403). Such a comparison is "an idle affair," for it presumes a standard of evaluation which is outside of self-expression. Since self-expression is reality for consciousness, it need not be concerned with a comparison of itself with others, nor *vice versa*. As Hegel puts it

... feelings of exaltation, or lamentation, or repentance are altogether out of place. For all that sort of thing stems from a mind which imagines a *content* and an *in-itself* which are different from the original nature of the individual and the actual carrying-out of it in the

real world. Whatever it is that the individual does, and whatever happens to him, that he has done himself, and he *is* that himself. (PhS ¶404)

This is the notion of individuality that Hegel is examining, then. It can be seen as a critique of the Romantic concept of self-expression through activity, e.g. the cult of genius.⁵¹ He wants to show that this self-understanding cannot provide for objectivity. In the objective character of the work done, consciousness finds itself reflected back to itself as particular, rather than as universal. The work done can only be understood by others in its particularity, because it is always the expression of a determinate nature. As a static product, the work done fails to express the dynamic nature of consciousness.

With the idea that action is the "work done," the individual finds that her self-understanding and the way she is understood by others are opposed. Consciousness understands itself as universal activity in its work.

The work produced is the reality which consciousness gives itself; it is that in which the individual is explicitly for himself what he is implicitly or in himself, and in such a manner that the consciousness, for which the individual becomes explicit in the work, is not the particular, but the universal, consciousness. (PhS ¶405)

As existent, however, the work is specific. The work is objective in the form of its specific character, whereas individuality is supposed to be objective as the interfusion of universal and particular. "... when this element becomes an objective being, its *specific character* as such comes to light in the work done, and obtains its truth in its dissolution" (PhS ¶405). In other words, the work done in its existence has the form of being something alien to consciousness. "... the reality simply as such is just this quality of being opposed to self-consciousness" (PhS ¶405). In order for the work to be objective, it must exist for all individuals,

⁵¹Solomon, *op. cit.*, pg. 521

but in that case the way it appears to others is part of the work's objective existence.

The work *is*, i.e. it exists for other individualities, and is for them an alien reality, which they must replace by their own in order to obtain through *their* action the consciousness of *their* unity with reality; in other words, *their* interest in the work which stems from *their* original nature, is something different from this work's *own* peculiar interest, which is thereby converted into something different. (PhS ¶405)

In other words, Hegel is arguing that understood as pure self-expression, action faces a kind of indeterminacy of translation. Although this action, understood as the work I have done, has to me the significance of expressing my individuality as universal consciousness, to you it might appear as a purely particular action, expressive only of my own particularity.

One way of exemplifying what Hegel is discussing here is through the current debate in literary studies about authorial intention. Some literary critics argue that authorial intention has normative force, and that it must be taken into account when interpreting a text. Others disagree, and point out that it is possible to interpret a text in such a way that the author herself sees it in a new light. Therefore authorial intention does not constrain interpretation, and the reader is free to interpret a text as she sees fit.⁵² Similarly, others may understand the meaning of my action in a way that differs from my own understanding, and there is no criterion whereby I can prove my own interpretation to be the correct one. Since I only know my self through my actions, I cannot refer to my own "original nature" in order to prove that what is being expressed in the action is this aspect

⁵²The notion of free interpretation has been discussed by Stanley Fish, *op. cit.*, pp. 7-14. Fish argues that the anarchism of interpretation that some literary critics see resulting from movements such as deconstruction is illusory. Interpretation is always contextually constrained by the reader's own conceptions about the world and the things in it, as well as her own understanding of what a text is. Those "background" conceptions are not creations of the individual reader, but are products of the social practices which help define who this person is. Although the reader's understanding of the text may not agree with the author's (or with a certain literary critic's), this does not mean that it is arbitrary.

of my character. In other words, this conception of action as self-expression proves itself to be ungrounded and therefore indeterminate. "Thus the work is, in general, something perishable, which is obliterated by the counter-action of other forces and interests, and really exhibits the reality of the individuality as vanishing rather than as achieved" (PhS ¶405).

The understanding that the individual has of her activity has turned out not to be the reconciliation of universal and particular, as it was supposed to be. Rather, it has turned out to be self-alienation. The work done is an alien reality to others, and therefore it is alien to me, in the sense that it fails to express my true nature. The work is supposed to express the individual; it is taken by consciousness to be its individuality made explicit. In order to express individuality as consciousness understands it, however, the work has to reflect the universality of consciousness as well as its particularity. "Its *being* is therefore itself an action in which all differences interpenetrate and are dissolved" (PhS ¶405). As universal, then, the work of an individual is opposed to others, since it is a denial of their particularity.

In other words, what has happened with the work as the result of action is that rather than being the unity of universality and individuality, it is their opposition. Whereas the individual, through her action, was to become explicit for herself, was to achieve objective existence, when action is a result it alienates individuals. The work has an existence, because action always results in some state of affairs, but that existence is alien to others, who fail to find themselves expressed in it, and becomes alien to the actor, because it is reflected back to her as something specific. The universality of consciousness, which should unite individuals, cannot be expressed in this way. Thus action and result fall apart, action representing the side of the universal "as an absolute transition, or as the

coming-to-be [of the reality],” whereas the result, like the individual’s original determinate nature, is the particular, is mere “being” (PhS ¶406).

Since action has turned out not to be expressive of pure individuality, consciousness now perceives the relationship between its nature and the work as a contingent one, in which it is merely accidental if the work done succeeds in expressing individuality. “[T]he *action* of the individual is again in an accidental relationship to *reality* in general; fortune decides as well in favour of an ill-disposed purpose and an ill-chosen means, as against them” (PhS ¶407). At the same time, however, the previous realization of consciousness holds true, i.e. that it is only in action that it is actual. Thus there arises for consciousness “the *antithesis* of willing and achieving” (PhS ¶408). On the one hand, action is necessary for consciousness to be self-related and to know itself in its determinateness; on the other, it is only a possibility that consciousness will succeed in expressing itself and actually achieving the reality which it takes itself to be.

Hegel’s argument so far is directed against the view that self-certainty and truth come together as active individuality, where the activity is pure self-expression. In positing its objective reality entirely through its own activity, consciousness has discovered that objectivity still escapes it; what it takes to be its objective reality diverges from how it exists for others. In making the understanding it has of itself explicit, consciousness comes to realize the inadequacy of its self-understanding. It cannot make itself explicit through action, for universality and particularity fall apart in the objective existence of action, in the work.

This is paradoxical, however, for the work which is the result of consciousness’s self-expression has an independent objective existence, yet consciousness as individuality is also certain of itself as being all reality. Thus the

objective character of the work is understood by consciousness to be illusory. The work fails to express individuality because others understand it as an objective existence which is independent of the consciousness that produced it, whereas it cannot be so understood by that consciousness, for there is no such independence. Reality can only be related to consciousness, which for the active consciousness, that knows itself to be productive of reality, means that the unity of universality and particularity it seeks is in its relation to itself as active. The significance of action is not contained in its moments as specific, i.e. in purpose, means or result, but in that which unites those moments and which unites the individual with her action. Hegel calls this *die Sache selbst*, translated by Miller as the 'matter in hand' or the 'heart of the matter.'

... reality therefore has for consciousness only the value of *being* as such, whose universality is one with action. This unity is the true work; it is the very heart of the matter [*die Sache selbst*] which completely holds its own and is experienced as that which endures, independently of what is merely the *contingent* result of an individual action, the result of contingent circumstances, means, and reality. (PhS ¶409)

How does the 'heart of the matter' function to unite universality and individuality and yet avoid the contradictions inherent in the work? With action understood as self-expression, the self to be expressed was an interfusion of the particularity of original determination and the universality of the active consciousness. Action was understood by consciousness to be separable into the moments of end, means and result, the unity of which was understood in terms of an identity of content. Understood in this way, however, the content becomes the essential aspect of action, and since that content is determinate, it could never express the unlimited action of consciousness. Rather, the content (as the work done) appeared to be an independently existing reality opposed to consciousness. The 'heart of the matter' unites these moments, not in terms of content, but in terms of form.

The 'heart of the matter' is only opposed to these moments in so far as they are supposed to be isolated, but as an interfusion of the reality and the individuality it is essentially their unity. It is equally an action and, *qua* action, pure action in general, hence just as much an action of this particular individual; and this action as still *his* in antithesis to reality, is a purpose. Equally, it is the transition from this determinateness into the opposite, and lastly it is a reality which is explicitly present for consciousness. (PhS ¶410)

That is, the *Sache selbst* is the universality of action, which is present in all particular action, whether or not it is taken by others to express that universality. The *Sache* is what makes action what it is. Previously, consciousness understood its activity in terms of the manifestation or actualization of its determinateness, i.e. as self-expression. This proved to be an inadequate self-understanding, for the existence of its activity as determinate, i.e. the work done as the result of action, served only to alienate consciousness. The work done appears for others as something alien, something in which they are unable to recognize themselves either as universal activity or as determinate beings, and therefore it is reflected back to consciousness in this light. The work I have done is always reflected back to me as something specific, something others have not done, perhaps something which they can disregard. The *Sache*, on the other hand, is a more adequate conception of the active nature of individuality, for it is taken by consciousness to be that which unites all action, and thus that in which all can recognize themselves.

The 'heart of the matter' thus expresses the *spiritual* essentiality in which all these moments have lost all validity of their own, and are valid therefore only as universal, and in which the certainty consciousness has of itself is an objective entity, an objective fact for it, an object born of self-consciousness as its own, without ceasing to be a free object in the proper sense. (PhS 410)

With the introduction of the *Sache*, Hegel is presenting a conception of Spirit, although this is Spirit understood immediately. In order for consciousness to actualize itself, it must be the interfusion of objectivity and individuality. That is,

the way it exists for itself must also be the way it exists for others, in order for it to obtain the recognition, the satisfaction, that it requires. There is no reality outside of consciousness, but consciousness is both particular and universal. As universal, it is not an aspect of my particular existence, but is a shared characteristic of human beings. This does not imply the existence of "Cosmic Mind," but rather the existence of shared practices in which all can recognize their own existence as active consciousnesses. Objectivity for consciousness is its self-actualization in a way in which others can recognize it. As Hegel puts it, "[a]ctualization is ... a display of what is one's own in the element of universality whereby it becomes, and should become, the affair of everyone" (PhS ¶417).

One way of understanding what Hegel means by the 'matter in hand' is to understand it as an ideal, as the cause which motivates the individual to action, yet which remains unchanged whatever the result of that action.⁵³ An ideal is a universal, in that it transcends my individuality and is open to others. Others can act in service to this ideal just as I can, and can recognize my activity as serving the ideal. At this stage, however, consciousness has only realized its Notion as immediate.

In the 'matter in hand', then, in which the interfusion of individuality and objectivity has itself become objective, self-consciousness has come into possession of its true Notion, or has attained to a consciousness of its substance. At the same time, this consciousness as it exists here is one that has just now come into being, and hence is an immediate consciousness of its substance; and this is the specific way in which spiritual being is present here; it has not yet developed into a truly real substance. (PhS 411)

Although consciousness now has a true understanding of itself as manifesting in its action more than its particularity, it is still pseudo-objective, because it fails to realize that its universality is contextually dependent upon the shared practices which the *Sache* represents. Rather, at this stage

⁵³Loewenberg, *op. cit.*, pg. 172.

consciousness still assigns to itself the meaning of the *Sache*, of the ideal, and seeks to express itself in terms of that ideal. The *Sache* is at this point understood as an abstract universal, which consciousness can find in any one of the moments of action. In any particular action, consciousness always expresses the ideal, if not in the result of its actions, then in its intention, or if not even in its intention, then in its inability to act.

Hegel here may be caricaturing academics or artists, who consider all their work to be in the service of knowledge or art. Whereas with the previous conception of action purpose and result failed to be identical because of content, here it is sufficient that one moment express the ideal. If my thesis fails to serve the ideal of furthering knowledge of Hegel, at least I have intended to do so, and were I unable to finish this thesis, then that too would be the realization of the ideal as something I was not able to do. In any event, I obtain the satisfaction of my objectivity, because I understand my action as expressing the universal, and therefore as expressing my ability to serve the ideal of knowledge.

The problem with this conception of the ideal is that it is too abstract for the satisfaction that consciousness seeks. Since the *Sache* is the true unity of universality and individuality, I am concerned with it not just as an abstract universal, but as something in which my particularity is expressed. I am concerned with my service to the ideal, not just service in general, because my particular action is at the same time action in general, or pure action. "While, then, it seems to him that his concern is only with the 'matter in hand' as an *abstract* reality, it is also a fact that he is concerned with it as his own doing" (PhS ¶415). An example of this might be the 'concerned citizen', concerned with environmental damage, or domestic crime, for example. The concern is the 'matter in hand', but it is equally important to that person that she be concerned, that her actions are actions in which that concern is expressed. Of course, this

consciousness expresses the *Sache* in her concern, merely by being concerned; however, she must manifest that concern to others.

In that manifestation, individualities become deceptive. For what they want to express to others is their concern, their interest in the 'matter in hand', but to others it seems that what really concerns them is **their** concern.

For example, in political campaigns, candidates often assume positions on issues in which they are not really interested. They wish to express to their potential constituents that they are concerned with the particular 'matter in hand', but in fact they are more concerned with showing that **they** are interested. Only rarely, if ever, will a candidate accept a rival's proposed solution to a problem as superior to her own. Even if they are genuinely interested, however, they can often appear as merely jumping on the bandwagon for the purposes of self-aggrandizement. However, in their appropriation of the issue, they at the same time bring it to the attention of constituents who may not have previously thought about it. In this manner, the concern is made available to others, and in fact may become more of a concern to them than the candidate might have thought. Potential constituents may find themselves rejecting a candidate for her stand on issues which they previously might not have questioned.

The same is true in the academic world, in which a scholar may write a book on some topical issue, say Hegel's ethics, which has already been dealt with definitively, as others point out. It then appears to others that what concerns the scholar is not really Hegel's ethics, but what she has to say about it. Such criticism, however, serves to indicate that the others are not really concerned with Hegel's ethics, either, but with what **they** have to say. At the same time, by paying attention to what this particular scholar has said (or has failed to say) they indicate that what she has to say does concern them, and that that they are indeed concerned with this issue. In this way "there thus enters a play of

individualities with one another in which each and all find themselves both deceiving and deceived" (PhS ¶416).

It is only with the realization by consciousness that both of these stances are deceptive, since both are partial, that it realizes its true self-understanding. Since action is always both particular and universal, consciousness must always be concerned with its **interest** and with **its** interest. As practitioners in the shared practice of the pursuit of knowledge, individuals are always concerned with their particular actions as constituting that practice, and with action as universal as the practice which is the context of, and so constitutes, their action.

Thus the 'matter in hand' no longer has the character of a predicate, and loses the characteristic of lifeless abstract universality. It is rather substance permeated by individuality, *subject* in which there is individuality just as much *qua* individual, or *qua this particular* individual, as *qua all* individuals; and it is the universal which has being only as this action of all and each, and a *reality* in the fact that *this particular* consciousness knows it to be its own individual reality and the reality of all. (PhS ¶418)

Reason and Law

In this part of the *Phenomenology*, it is evident that Hegel is addressing certain aspects of Kant's moral theory, although the treatment is cursory, and is confined to an examination of whether or not pure reason alone can prescribe determinate practical laws. Hegel deals more fully with Kant's ethics as a form of Spirit, in the section entitled "Spirit that is certain of itself. Morality". Here Hegel is concerned with the notion of reason prescribing universal laws as a disguised form of individualism.

Consciousness, now aware of itself as both individual and universal, seeks the significance of its action in terms of its universal self, a self which it shares with other individualities. "The originally *determinate* nature of the individual has lost its positive meaning of being *in itself* the element and the purpose of its activity; it is merely a superseded moment, and the individual is a *self* in the form

of a universal self" (PhS ¶419). That universal self is understood as reason which is immediately aware of the moral law. "Since self-consciousness knows itself to be a moment of the *being-for-self* of this substance, it expresses the existence of the law within itself as follows: sound Reason knows immediately what is right and good" (PhS ¶422).

In his discussion of the *Sache selbst*, Hegel showed that what is taken by consciousness to be the universal aspect of its action, the action in which it becomes objective to itself, is intersubjective. That is, insofar as individuality is objective, the universality of its action must be recognized by others, and such recognition involves the identification of the universal as the universal of their own action. The *Sache* can be universal only insofar as it is expressed in the action of all. That expression involves the particularity of the individual expressing it, and that particularity gives content to the formal nature of the *Sache*. "... the *formal* 'matter in hand' gets its filling from the active, self-differentiating individuality; for the differences within the latter constitute the *content* of that universal" (PhS ¶419). Here Hegel identifies the 'matter in hand' with the categorical imperative, with the pure *a priori* law which reason prescribes to itself. As universal, the *Sache* cannot depend upon the determinate nature of individuality, through which individualities are distinguished, but through the universality of reason, through which individualities are identified.

The thrust of Hegel's criticism of this form of consciousness is that the terms in which reason formulates its particular laws always refer to empirical, determinate conditions. Whereas Kant argued that the moral law is moral only insofar as it is universally applicable, and therefore can make no reference to empirical objects (such as self-love or happiness, or even the happiness of all), Hegel argues that the only such universal is the tautology of non-contradiction, which can be satisfied empirically in contradictory ways. In expressing moral

duties in terms of concepts which have an empirical element, reference is always made to the empirical content of those concepts. For instance, with the duty to speak the truth, a reference is always made to the knowledge that the individual has.

'Everyone ought to speak the truth.' In this duty as expressed unconditionally, the condition will at once be admitted: *if he knows the truth*. The commandment, then, will now run: everyone ought to speak the truth at all times, according to his knowledge and conviction. (PhS ¶424)

With this example, Hegel wants to show that truth, as determinate, always has empirical reference, which is contingent. Thus the proposed necessity of the moral law turns out to be instead contingent, dependent as it is upon empirical conditions. Reason alone can never be prescriptive in the sense that consciousness wants it to be, for it can never determine how the concrete content which a moral law involves should be acted upon.

What is demanded is, therefore, really something free of all specific content. But here the point in question was about a *specific* content, a *distinction* in the ethical substance. Yet this *immediate* determination of the substance is a content which showed itself to be really completely contingent and which, when raised into universality and necessity by making the law refer to *knowing* [instead of to *content*], in fact vanishes. (PhS ¶424)

Hegel's argument is thus that in attempting to determine how we should act, through the use of reason as a universal law-giver, we are incapable of answering the kinds of questions that refer to our actions, because what we are interested in is the determinate content, i.e. how the universal law bears upon our particular case. Yet the universal law abstracts from all content. It therefore appears that what at first was the point in question, the "distinction in the ethical substance," turns out not to be the issue at all. "All that is left, then, for the making of a law is the mere form of universality, or, in fact, the tautology of consciousness which stands over against the content, and the knowledge, not of

an *existing* or a real content, but only of the essence or self-identity of a content" (PhS ¶427).

Since reason is not capable of prescribing laws with a determinate content, it is reduced to testing the determinate moral laws in terms of their formal consistency. "The ethical nature, therefore, is not itself simply as such a content, but only a standard for deciding whether a content is capable of being a law or not, i.e. whether it is or is not self-contradictory. Reason as the giver of laws is reduced to a Reason which merely critically examines them" (PhS ¶428).

Hegel here considers another version of the relation between reason and law, that of "Reason as testing laws". The arguments contained in this section are weak and unconvincing, depending upon a concocted contradiction between property and non-property. This is not the sort of contradiction that concerned Kant, however, and will not be further examined here.

From the arguments against reason as law-giver, then, it would appear as if reason has no place in determining laws. This is not the case, however, for what Hegel is arguing against is the notion that reason can, from its own resources, produce specific laws. The problem with this view, Hegel thinks, is that it ignores the relationships of determinateness which pervade social life. Laws exist, not in isolation from one another, but as part of a social whole, as a legal system, or as social morals. Individuals exist in a similar way, in a context of shared understandings. Reason does play a part in determining valid laws, but through its interaction with the ethical substance by which it is determined. "That law-giving and the testing of laws have proved to be futile, means that both, when taken singly and in isolation, are merely unstable moments of the ethical consciousness; and the movement in which they appear has the formal meaning that the ethical substance thereby exhibits itself as consciousness" (PhS ¶432). Reason, as the relationship of individual and world through categorization, is a

part of social existence, of human existence as consciousness, but is not exhaustive of it.

The attempt to produce laws from within is characteristic of subjective individualism, and therefore any specific law so produced “means here that it is the law of a single consciousness and has an arbitrary content. To legislate immediately in this way is thus the tyrannical insolence which makes caprice into a law and ethical behaviour into obedience to such caprice — obedience to laws which are *merely* laws and not at the same time *commandments*” (PhS ¶434). On the other hand, to suppose that individuals are capable of testing laws “means the insolence of a knowledge which argues itself into a freedom from absolute laws, treating them as an alien caprice” (PhS ¶434).

Only as the shared understanding of social individuals can reason play a role as regards law. The law so regarded is an aspect of the ethical substance which is constituted by intersubjectivity. “The spiritual being thus exists first of all for self-consciousness as law which has an *intrinsic* being” (PhS 436). It is something which exists in its own right, yet in which self-consciousness can recognize itself. Through my relations to others as members of my ethical community, I am aware of the moral code as something which belongs to me. In acting morally, I do not obey a will that is foreign to me in my concrete existence, as is Kant’s categorical imperative. Rather, since consciousness is both identical to and different from its community, “laws are the thoughts of its own absolute consciousness, thoughts which are immediately its *own*” (PhS ¶436).

This does not mean, however, that there is no criterion for judging moral laws. The criterion which emerges in chapter VI of the *Phenomenology* is that of alienation. Individuals, as members of an ethical community, are concrete universals, just as the ethical community itself is a concrete universal. The requirement for individuals in an ethical community is that their particularity and

universality be allowed to come together, that individuals be free to satisfy both their particular needs and their universal needs. The criterion for judgment of the community, therefore, is in terms of how it overcomes the danger of alienation, either of particularity or of universality. In the next section I will examine how Hegel sees this criterion in action.

Chapter 3. Freedom and Alienation in Ethical Life

Hegel has shown that the tenets of individualism contradict the self-understanding of the individualist. Shared understandings are always present as constitutive of self-understanding, and therefore the individualist who sees the meaning of her life either in the pursuit of the particular or in identification with the universal is inherently alienated, for she cannot account for her way of life as it manifests itself in her actions. Self-satisfaction escapes individualism, for it cannot give an account of how happiness can be realized.

Hegel's concern with individualism is complex, because he sees that it contains important truths, yet at the same time he denies that it is the foundation of freedom, happiness, or the good life. His claim is that individuals do need negative freedom in order to pursue their self-satisfaction, and at the same time he recognizes subjectivity as the principle of the modern age. If freedom is to be made actual, then both negative and subjective freedom must exist. However, neither can exist in the absence of an ethical community, and thus individualist moral theories are false, and if acted upon, alienating. Hegel is an enemy of individualism, but not of individuality. His goal is to show that individualism presupposes ethical life, and thus only in ethical life is true individuality possible.

The *Phenomenology* turns from the examination of individualism to the examination of various forms of Spirit, the various ethical communities which exemplify the role that shared understandings play in social life. Although these are ethical communities, each one of the shapes of Spirit that Hegel examines in this text is deficient in some way. Each terminates in a form of alienation, and it is

only in his explicitly political works that Hegel discusses the non-alienating ethical community, which in the *Philosophy of Right* he calls the "State" [Staat].⁵⁴ In the *Philosophy of Right*, Hegel's understanding of the relationship between rights and meaningful action is fully laid out. Unlike the *Phenomenology*, this text is a description of "objective mind". That is, it is not concerned with the appearance of consciousness to itself, but rather with the relationships that hold between ethical life, abstract right (the "external sphere of freedom" of the "infinite will" (PR §41)) and subjectivity ("the will's self-determination (PR §107)).

In examining Hegel's description of this relationship, I hope to make clear two things: (i) the notion of freedom that permeates Spirit or ethical life; and (ii) the way in which ethical life allows alienation to be overcome and freedom to be realized. Hegel's description of ethical life is antifoundationalist, I argue, because freedom only exists in historically situated institutions or collective practices understood as rational, and not merely accepted in their sheer givenness, in ethical life (*Sittlichkeit*). Such institutions make freedom possible insofar as they provide for concrete rights and duties for the individuals who collectively embody those institutions. The institutions can only be evaluated in terms of the freedom they make possible, and freedom must be evaluated in terms of the institutions. Thus there is a circular relationship of justification present in Hegel's ethical theory, "a circle of necessity" (PR §145).

⁵⁴The other works in which Hegel discusses political philosophy explicitly include the "Natural Law" essay, the *System of Ethical Life*, the Jena lectures, published as the *Jenenser Realphilosophie* and the *Encyclopedia of the Philosophical Sciences*, vol. III, as well as several political pamphlets. For a discussion of the relation of these to the *Philosophy of Right*, and the development of Hegel's political philosophy, see Avineri, S., *Hegel's Theory of the Modern State*, Cambridge University Press, Cambridge, 1972.

I will begin with a discussion of what Hegel means by “freedom,” and his argument that only this conception of freedom can show why freedom understood in the individualistic sense is worth having.⁵⁵ Specifically, Hegel discusses two components of freedom, one based on rights (abstract right), the other on subjective duties or conscience (morality). Both of these must be present in modern *Sittlichkeit*, in order that individuals be free, yet neither one encapsulates or allows for substantial freedom. That is, Hegel maintains that in the modern world, human beings need both the sphere of negative freedom, in which they can pursue their goals without being interfered with by others, and the sphere of subjective freedom, in which they can achieve the recognition of the meaning or significance of their goals. Without the two, freedom cannot be realized. Yet neither one is adequate by itself, and neither one can serve as a foundation for an adequate conception of social life. If either one is taken to be the whole meaning of freedom, alienation results. It is ethical life that reconciles both, and thus ethical life that overcomes alienation and makes freedom possible.

There are two themes which are important to bear in mind in considering Hegel's ethical and political thought. The first is the tension between finitude and infinity, or the particular and the universal. For Hegel, consciousness is infinite and is capable of stepping outside of any particular determinations. In this sense, mind is negative. Consciousness is not limited to being one thing rather than another. That is, consciousness cannot be characterized as the consciousness of

⁵⁵As Wood puts it, in the Editor's Introduction to the *Elements of the Philosophy of Right*, “Hegel wants to replace the ordinary concept of freedom with his concept not because he is opposed to freedom in the ordinary sense, but because he thinks that starting with his concept of freedom enables us to see *why* freedom in the ordinary sense is objectively a good thing for people to have”, pg. xv.

this particular object rather than that. In the *Phenomenology*, Hegel characterizes this as the “absolute unrest of pure self-movement” (PhS ¶163), in which consciousness creates differences which it then overcomes. The unity of consciousness present in experience is differentiated into particular, sequential experiences. Consciousness is not limited to any one of these. “Since this Notion of infinity is an object for consciousness, the latter is consciousness of a difference that is no less *immediately* cancelled” (PhS ¶164).

As self-consciousness, it is movement; but since what it distinguishes from itself is *only itself as itself*, the difference, as an otherness, is *immediately superseded* for it; the difference is *not*, and it [self-consciousness] is only the motionless tautology of: ‘I am I’; but since for it the difference does not have the form of *being*, it is *not* self-consciousness. (PhS ¶167)

Practical consciousness, or will, is similarly infinite, because “the will is a particular way of thinking — thinking translating itself into existence, thinking as the drive to give itself existence” (PR §4 Addition). Hegel makes no radical distinction between practical and theoretical mind. Both of these are aspects of the will, or of human existence; since human existence involves both thinking and acting, “[a]ctual free will is the unity of theoretical and practical mind” (EM §481). The will is not to be distinguished as a faculty separate from thinking, for it “contains the theoretical within itself” (PR §4 Addition). As the unity of theoretical and practical mind, willing is rational action. It is not just action, but rather the action of a rational being. “As will, the mind steps into actuality” (EM §469).

Willing is infinite because it is indeterminate, and not characterized by willing this particular action or result, rather than any other.

The will contains (α) the element of *pure indeterminacy* or of the ‘I’'s pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires, and drives, or given and determined in some other way, is dissolved; this is the limitless infinity of *absolute abstraction* or *universality*, the pure thinking of oneself. (PR §5)

At the same time, however, each instance of willing is particular.

(β) In the same way, 'I' is the transition from undifferentiated indeterminacy to *differentiation, determination, and the positing* of a determinacy as a content and object. (PR §6)

Freedom is achieved when the infinite and the finite come together and can be understood as aspects of the same will or practical consciousness. That is, it is only when individuals can understand their actions as expressive of both willing in general and willing their particular ends that they are truly free.

(γ) The will is the unity of both these moments — *particularity reflected into itself* and thereby restored to *universality*. It is *individuality*, the *self-determination* of the 'I', in that it posits itself as the negative of itself, that is, as *determinate and limited*, and at the same time remains with itself, that is, in its *identity with itself* and universality... This is the *freedom of the will*...(PR §7).

Kant thought that it was possible to investigate the relation of the will to freedom, even though freedom itself could not be an object of knowledge.⁵⁶ Hegel holds the position that in comprehending the will, we comprehend freedom also. The relationship of freedom and will is conceptually analogous to the relationship of gravity and bodies. "The freedom of the will can best be explained by reference to physical nature. For freedom is just as much a basic determination of the will as weight is a basic determination of bodies ... Will without freedom is an empty word, just as freedom is actual only as will or as subject" (PR §4 Addition). Therefore, in investigating freedom, we must investigate the will's self-actualization, and *vice versa*. Hegel suggests that the reason why thinkers such as Kant separate knowledge of the will and knowledge of freedom is because of their foundationalism, because they never go beyond the level of the understanding.

⁵⁶FGMS, pp. 90-100; CpV, pp. 3-7.

The second theme is the relationship of freedom to alienation. If individuals are to be free, they must be able to act in ways which are self-determining, yet at the same time objectively right. That is, they must be able to choose their own goals in such a way that they obtain self-satisfaction in them. Self-satisfaction means more than merely revelling in the freedom of choice (e.g. enjoying the vanilla ice cream rather than the chocolate, because I had the choice and chose it myself, or becoming an accountant because my parents wanted me to be a doctor). It involves as well the knowledge that the goals one has chosen are worthwhile, that in choosing these goals I realize myself as the individual I am, and that in so choosing I create for myself the possibility of further self-realization. Since knowledge of the value of goals depends upon a social context, the idea of freedom as self-realization or self-actualization points towards the role that shared understandings and practices play in the life of the individual. Without these, Hegel thinks, freedom is not possible, and therefore freedom cannot be understood independently of ethical life.

Freedom

Hegel's *Philosophy of Right* is an examination of "the realm of actualized freedom" (PR §4), the realm which Hegel calls "ethical life" [*Sittlichkeit*]. To understand ethical life, then, we need to understand what Hegel means by freedom. In the Introduction, Hegel identifies three different meanings of freedom: (i) negative freedom, or "the element of pure indeterminacy" (PR §5); (ii) positive freedom, or "*differentiation, determination, and the positing of a*

determinacy as a content and object" (PR §6); and (iii) substantive (or as Wood calls it, absolute), freedom, Hegel's own understanding of freedom.⁵⁷ Substantive freedom can best be explained with reference to negative and positive freedom.

Negative freedom is usually understood as the absence of external constraints on, or interference with, individuals' actions. It is the concept which underlies classical liberal and contractarian theories of the state.⁵⁸ The line of argument is that since individuals are naturally free, the only function of the state is to ensure that any individual's activities do not interfere with the ability of others to pursue their own goals. This idea of freedom is generally encapsulated in the notion of rights and their correlative duties, hence the saying of Justice Holmes, "your right to swing your fist ends where my chin begins". Hegel's use of the term is somewhat different, although related. "[N]egative freedom, or the freedom of the understanding" is "this *absolute possibility of abstracting* from every determination in which I find myself or which I have posited in myself..." (PR §5). By this he means that as will, I am not limited to any particular content; whether I choose to sleep, eat or read, my will is not restricted to any of these. No matter what I will in particular, I can always abstract from the content of that particular. My potential to make choices is not limited by any choice I do actually make, nor is it limited by any external factors. In fact, the will as possibility goes beyond any finite choice or action, and therefore it has the form of infinity: "this is the limitless

⁵⁷Since "absolute" freedom is also the term by which Hegel characterizes the result of the French Revolution (PhS ¶582-595), which I will discuss in the conclusion, I will refer to Hegel's understanding of true freedom as substantive freedom. See Wood, *op. cit.*, pp. 37-8.

⁵⁸For instance, Hobbes' *Leviathan* and Locke's *Second Treatise of Government*.

infinity of *absolute abstraction* or *universality*, the pure thinking of oneself" (PR §5).

Hegel argues that this form of freedom is only one aspect of the freedom of the will, and for that reason is not the true meaning of freedom. Because it is abstract it can only be known by agents in a purely negative way. That is, it can only be known by denying that any particular action manifests the agent's freedom. "Only in destroying something does the negative will have a feeling of its own existence" (PR §5). If negative freedom is taken to be the entire meaning of freedom, Hegel argues, its only result is pure negation, freedom from every form of limitation.

Positive freedom, the freedom of the "finite will", is the opposite of negative freedom. My will only becomes real to me in my exercise of it, and thus in the choices I actually do make. In making particular choices, whether based on desires, needs, or whatever, I am able to know myself as an entity with a will.

Whereas positive freedom is often understood as the existence of enabling conditions, i.e. "freedom to" as opposed to "freedom from", Hegel's concept of positive freedom turns on the notion of subjectivity, that aspect whereby individuals give "meaning to their lives through the particular choices they make".⁵⁹ Positive freedom, then, is the way will does make itself actual through its particularization. "Through this positing of itself as something *determinate*, 'I' steps into existence in general — the absolute moment of the *finitude* or *particularization* of the 'I'" (PR §6).

⁵⁹Wood, A., "Editor's Introduction" to Hegel's *Philosophy of Right*, Cambridge University Press, Avon, 1991, pg. xiv.

Substantive freedom, in Hegel's sense, is the unity of negative and positive freedom. It is the freedom of the will which determines itself and in doing so knows its own universality. Less abstractly, it is the self-satisfaction of the individual who in choosing her own goals and ends knows these to be her own choices because she is not limited to them. "It is *individuality* [*Einzelheit*], the *self-determination* of the 'I', in that it posits itself as the negative of itself, that is, as *determinate and limited*, and at the same time remains with itself, that is, in its *identity with itself* and universality; and in this determination, it joins together with itself alone" (PR §7). Substantive freedom is the will, but the will as self-limited, rather than limited by anything external to it. "But the will is not complete and universal until it is determined, and until this determination is superseded and idealized; it does not become will until it is this self-mediating activity and this return into itself" (PR §7).

Hegel gives us a clue to the nature of substantive freedom "in the form of feeling, for example in friendship and love" (PR §7 Addition). Friendship and love involve self-limitation because we must make determinate choices of who our friends and lovers are, and because being a friend or lover means acting in certain ways and not in others. That is, we choose to do the things friends do for one another and which foster friendship, e.g. offer help when needed, offer companionship, pursue common goals, etc., and we also choose not to do things inimical to friendship, e.g. betray confidences. In making these choices, however, not only do we give friendship, but we also receive it, and in that recognition we are able to understand ourselves in new and deeper ways. "Here, we are not one-sidedly within ourselves, but willingly limit ourselves with reference to an

other, even while knowing ourselves in this limitation as ourselves" (PR §7 Addition).

Hegel's claim is that substantive freedom grounds negative and positive freedom. Substantive freedom is itself grounded in ethical life, "the concept of freedom which has become the existing world and the nature of consciousness" (PR §142). What Hegel means by ethical life, how it makes freedom actual, and the relationship of individual and ethical community will be discussed later on in this chapter. What needs to be made clear now, in light of Hegel's criticism of the various forms of individualism, is why negative and positive (or subjective freedom) are necessary, although one-sided, aspects of substantive freedom. This follows Hegel's presentation in the *Philosophy of Right*, in the sections entitled "Abstract Right" and "Morality".

Negative Freedom and Abstract Right

In the "Self-Actualization" section of the *Phenomenology*, Hegel argues that a purely abstract conception of human being, as hedonistic, self-determining through inner virtue, or self-sacrificing, is incoherent because it fails to take into account the shared understandings through which we obtain our sense of individuality, and especially the intersubjective recognition through which individuality is constituted. That is, it is only through relating to others that we can understand ourselves as the individuals we are, rather than being deceived by abstract, one-sided, and therefore false self-images. This need for recognition, however, entails that individuals have the means to relate to one another. The

ethical community, then, must allow for the kinds of interactions in which recognition can obtain. "...I can have an adequate consciousness of myself only if I am recognized by others, and recognition can be adequate only if it is fully mutual."⁶⁰

Mutual recognition is possible only when individuals can relate freely to one another, in what we might call an indeterminate way. On the one hand, in order to understand myself as free to pursue goals which I consider worthwhile pursuing, I actually need to be free to pursue my goals. I need to be free from interference from others. However, that requirement in turn involves the recognition on my part that others are likewise free to pursue their goals. As Hegel's discussion of the "law of the heart" has shown, I cannot have it both ways. I cannot freely pursue my goals and at the same time obtain the recognition necessary unless others can do the same. On the other hand, I cannot know in advance who the individuals are that recognize me in my self-externalizing activity. Because ethical life is not embodied in a small community in which everyone knows everyone else (whether or not it ever was), mutual recognition cannot be based solely on who I am, i.e. on the particular person I am. Rather, it must involve my will in a universal, and hence formal way.

Abstract right, then, involves a certain conception of the self, which Hegel calls "personality". Personality is the will's pure self-relation, "the will's self-conscious (but otherwise contentless) and *simple* reference to itself in its

⁶⁰Wood, *op. cit.*, pg. 78. Wood discusses Hegel's debt to Fichte on this point and how Hegel's argument addresses the deficiencies in Fichte's understanding of recognition, pp. 77-92.

individuality; to this extent, the subject is a *person*" (PR §35). As persons, we know ourselves to be determined, "of such an age, of such a height, in this room, and whatever other particular things I happen to be" (PR §35 Addition), yet we also know that these determinations do not exhaust the will's self-relation, but are only indicative of the fact that the will is free to make choices. Hegel makes this distinction because the notion of abstract right is inherently a rational notion; he is not concerned with particular, empirical, positive rights, but with the rational character of right. For instance, in his discussion of property, he says that, "[i]n relation to external things, the *rational* aspect is that I possess property; the *particular* aspect, however, includes subjective ends, needs, arbitrariness, talents, external circumstances, etc." (PR §49). So what is being considered is that aspect of the individual which gives rise to abstract right as such.

Personality begins only at that point where the subject has not merely a consciousness of itself in general as concrete and in some way determined, but a consciousness of itself as a completely abstract 'I' in which all concrete limitation and validity are negated and invalidated. (PR §35)

Since it is predicated on self-relation, abstract right involves no positive duties, but only prohibitions (PR §38). Personality

... contains in general the capacity for right and constitutes the concept and the (itself abstract) basis of abstract and hence *formal* right. The commandment of right is therefore: *be a person and respect others as persons*. (PR §36)

As persons, we are not concerned with the ways in which our actions support those of others, nor with the significance of our own particular actions, but rather with "carving out" a place for ourselves in the world. "In accordance with the moment of *particularity* of the will, it has in addition a content consisting of determinate ends, and as *exclusive individuality*, it simultaneously encounters

this content as an external world immediately confronting it" (PR §34). Hegel is not concerned with good and bad here, but with right and wrong, in the sense of whether or not individuals as persons are actually able to externalize their wills. "With reference to *concrete* action and to moral and ethical relations, abstract right is only a *possibility* as compared with the rest of their content, and the determination of right is therefore only a *permission* or *warrant*" (PR §38). Abstract right is necessary because it allows individuals to recognize one another as bearers of rights, that is, as freely willing beings in their relations to things and to one another.⁶¹ It is only when abstract right exists that individuals can externalize themselves in a way that gives their will existence.

Concretely, this means for Hegel, the possibility of owning property, of making contracts, and of redressing interference with my person (either as property, contract, or my body). To put this another way, as human beings we exist in a world of things and other people. If I could not relate to these at all, I could not be free — I would be unable to externalize myself and thereby obtain recognition as will. However, I must be able to interact with things in a way in which they have a consistent meaning, such that I can understand myself in the way I relate to them. In the case of objects, this is what is involved in the notion of property.

My inner idea and will that something should be *mine* is not enough to constitute property, which is the *existence* of personality; on the contrary, this requires that I should *take possession* of it. The *existence* which my willing thereby attains includes its ability to be recognized by others. (PR §51)

⁶¹-Abstract right has to do with the proper safeguarding of a sphere of arbitrary choices. Morality is concerned with "which actions we ought to perform ...". Wood, *op. cit.*, pg 94

Similarly, the interaction of different wills requires some form in which mutual freedom can be recognized, i.e. the notion of contract. Hegel conceives of the interaction of wills in the sphere of abstract right as mediated by or taking place through the objects in which we externalize our wills. "[A]s the existence of the will [property's] existence for another can only be *for the will* of another person" (PR §71). The mutual recognition that property involves is made explicit in the activity of contracting with one another. In contract, we respect one another as persons, at the same time as we pursue our own personality.

Contract presupposes that the contracting parties *recognize* each other as persons and owners of property; and since it is a relationship of objective spirit, the moment of recognition is already contained and presupposed within it. (PR §71)⁶²

The last aspect of abstract right is the notion of wrong and crime. Since the wills that interact are still the wills of particular individuals, it is always possible that the result of the interaction will be disrespect for the other person, rather than respect. Disrespect can be unintentional, as in the case where two parties both believe that they have legitimate claims on some property, or on fulfillment of a contract. It can also be fraudulent, as in the case of acquisition of services or goods by misrepresentation. Finally, and most importantly, it can be criminal.

An ethical community which fails to provide the conditions of abstract right for its members will result in alienation, because its members can never know when their actions will indeed result in the recognition necessary for them to be

⁶²Thus already with abstract right, we can see Hegel's objection to contractarian theories of the state, since they presuppose that there is no recognition until the social contract takes place.

persons. For instance, suppose I buy a house, freely contracting (so I believe) with another person and in that way respecting their personality at the same time as I assert my own (being a person and respecting others as persons); however, when I want to move in I find that a third party has come along and occupied my house. If there is no remedy for my situation, then not only am I frustrated in this particular instance, but I will be cautious in the future, and perhaps so much so that I will never feel free to buy a house again. In this way, my personality is infringed, but also so is my potential to obtain recognition from others. An ethical community which allows such infringement is alienating, because it fails to provide its members with the possibility of self-realization. Mutual recognition requires trust, but it is the community which enables us to trust one another, not our subjective attitudes and the contingency by which they conform to one another.

The incoherence of abstract right as the foundation of freedom is evident in the case where rights are infringed, i.e. in wrong. Although abstract right requires mutual recognition, it only allows this in a contingent fashion. For instance, in the case of contract, the wills of individuals are supposed to be in conformity to one another, but the conformity depends upon each particular will.

In any relationship of immediate persons to one another, their wills are not only *identical in themselves* and, in a contract, posited by them as *common*, but also *particular*. Since they are *immediate* persons, it is purely contingent whether their particular wills are in conformity with the will *which has being in itself*, and which has its existence solely through the former. (PR §81)

What Hegel is trying to say is that the notion of abstract right as the formal, universal will has two aspects. The first is that it manifests itself in the particular actions of particular individuals, and therefore it is always a contingent matter

whether or not right has any real existence. In the case of contract, for instance, it depends upon both parties having the same attitude towards the action in which they are engaged. The second aspect is that, because abstract right is formal and therefore not limited to any particular instance of willing, it is universally valid.

Rights are not determined by the people who possess them, but are a condition of actually being a person. Therefore any theory of freedom based on solely on the idea of rights is faced with the problem of accounting for the universal aspect of rights. This is not merely a problem of how we are to enforce rights universally but rather the problem of what the universal character of right itself is, of how it is to be identified and how individuals are able to identify with it.

This limitation of abstract right becomes evident in wrong and particularly the wrong that is crime, "force employed by a free agent in such a way as to infringe the existence of freedom in its *concrete* sense — i.e. to infringe right as right" (PR §95). Hegel characterizes wrong as more than just an exercise of a particular will which infringes the particular will of another. Rather, it is an attack on the existence of right in itself. "If the particular will *for itself* is *different* from the universal, its attitude and volition are characterized by arbitrariness and contingency, and it enters into opposition to that which is right *in itself*; this is *wrong*" (PR §81).

Hegel divides wrong into three kinds, unintentional wrong, deception or fraud, and crime.⁶³ With wrong, it becomes evident that there is more to right

⁶³This corresponds roughly to the division in the common-law tradition of contract, tort, and crime, although since Hegel is most concerned with the civil law tradition, he does not characterize them nearly as disjunctively. For a discussion from the common-law tradition of the special significance of crime and criminal law, see the Law Reform Commission of Canada's *Our Criminal Law* (LRCC, 1976), which, in many ways agrees with Hegel's analysis of crime.

than its instantiation in the rights of particular persons, for the person who engages in wrong attempts, either unintentionally or intentionally, to deny others respect. The interesting aspect of Hegel's analysis of crime is its inherent self-contradiction. The criminal is like a subjective individualist in that she thinks her freedom is solely based on her externalization of her will, and in no sense upon the externalization by others of their wills. "[F]orce or coercion immediately destroys itself in its concept, since it is the expression of a will which cancels the expression or existence of a will" (PR §92). But in denying freedom to others, the criminal denies it to herself, since freedom, as expressed in abstract right, depends upon being able to externalize my will in a way in which I obtain recognition, as we have seen. It is with crime and the response of punishment, then, that the universal aspect of abstract right and respect are made evident to individuals.

Whereas in the preceding moments of abstract right, the will is understood as particular, in the requirement of punishment, "this implies the demand for a will which, though particular and subjective, yet wills the universal as such" (PR §103). This is because crime not only infringes upon the freedom of a particular individual, the victim, but also infringes upon the existence of right as such, in any individual. It is an attack on the whole notion of freedom and personality. For this reason, it is not sufficient to respond to crime by revenge, because revenge is merely the act of another particular will against the first. Punishment is distinguished from revenge because it is not particular. Rather, it is a response dependent upon right as such, and for this reason requires an agent which is not a particular will, that is, it requires a response from the ethical community.

Hegel's argument, then, is that the whole framework or discourse of abstract right ultimately depends upon the existence of an ethical community in which right has its existence in a way which transcends the individuals who, as bearers of rights, instantiate abstract right. Individuals give abstract right its existence, but only insofar as there exists a community which is capable of recognizing right as such.

However, crime and punishment also point to another deficiency in abstract right, which is its failure to identify the actions of particular individuals as self-expression. Since abstract right is formal, it does not depend upon the content of the will; in property or in contract, the objects of the will or wills involved, i.e. this house or that book, these legal services or those medical services, are not the concern of abstract right. It is concerned only with the form of interaction.

In crime, however, it is precisely the particular content of the criminal's will which is at issue. "*The positive existence of injury consists solely in the particular will of the criminal*" (PR §99). What is injurious is not the willing as such, but the particularity of that willing. Appropriating an object is not a crime, taking someone else's property is. Sexual intercourse is not a crime, coerced or forced sexual intercourse is. Cutting off an arm is not a crime if you are a surgeon saving someone from gangrene; it is a crime if you are a white supremacist teaching a "mudperson" a lesson, and so on. The point that Hegel makes is that since crime is intentional, it involves a reference to the subjective standpoint of the criminal. Punishment is an action which forces the criminal to accept responsibility for her

action, to know it as an act of her particular will.⁶⁴ However, it is the subjective standpoint that abstract right fails to account for. It does not answer the question, how do I identify with my actions, know them to be mine and to be expressions of my will? How is it that I can know when an action on my part is right, and when it is wrong?

Freedom, then, cannot be purely negative. Were it so, alienation would occur because individuals would have no way of knowing how to reconcile their particular activities with their duties to others. If I am unable to recognize myself in my rights and in my duty to respect others as persons., or to recognize rights and correlative duties as constitutive of my own self-image, then I am alienated from them. Although negative freedom allows for the **possibility** of self-determination, it fails to allow for its actuality, it fails to provide the conditions in which a person can **rationally** determine herself, that is, can choose ways to act and to be which are rational in nature. Thus freedom cannot be understood abstractly from every particular content, because as human beings we are finite, as well as infinite.

Morality and the Duties of Conscience

In the relationship of crime and punishment, the distinction between the particular and the universal will is made evident. Hegel's argument is that right requires the universal will in order to have actual existence, i.e. abstract rights

⁶⁴This, I take it, is the essence of Dostoevsky's *Crime and Punishment*. It is an exploration of the subjective standpoint of Raskolnikov as he comes to realize, first through guilt and later through punishment, what his act says about him as an individual, how it is expressive of his will, and why it is ultimately wrong.

cannot exist without recognition of the universal as well as the particular will. However, the conceptual framework of rights is unable to account for how it is possible for individuals to recognize both. Hegel turns to an examination of morality, which combines particularity and universality in the notion of subjectivity.

If we look again more closely at the moments through which the concept of freedom develops from the will's initially abstract determinacy to its self-related determinacy and hence to the *self-determination of subjectivity*, we see that they are as follows. In property, the will's determinacy is *abstract possession* and is therefore located in an external thing; in contract, it is possession *mediated by will* and merely held *in common*, in wrong, the will of the sphere of right in its abstract being-in-itself or immediacy is posited as *contingency* by the individual will, which is itself *contingent*. In the moral point of view, it [i.e. the will's abstract determinacy] has been overcome to the extent that this contingency itself, as reflected *into itself* and *identical with itself*, is the infinite and inwardly present contingency of the will, i.e. its *subjectivity*. (PR §104)

The notion of subjectivity is crucial, Hegel thinks, because it reconciles our freedom to act with our actual actions. If we only understand ourselves as bearers of rights and nothing more, as personalities, then we only understand our actions as determined in an arbitrary fashion by impulses, desires, etc. Personality does not allow us to understand ourselves as self-determined, that is, as rational actors. Abstract right requires me to be a person, but does not inform me of how to achieve personhood. As a person, all I am required to do is to externalize my will in such a way that I (i) obtain recognition and respect from others and (ii) recognize and respect others. I can do this in an infinite number of ways, and it makes no difference in terms of abstract right whether I choose to plough a field or plough through German Idealist philosophy.

From the moral point of view, however, it is precisely what I choose to do that is important. For what I choose determines me as the individual I am, and therefore makes it possible for me to identify with my actions, to know them as my own. "The moral point of view therefore takes the shape of the *right of the*

subjective will. In accordance with this right, the will can *recognize* something or be something only in so far as that this is *its own*, and in so far as the will is present to itself in it as subjectivity" (PR §107). The moral point of view overcomes the alienation between the individual and her action that was evident in abstract right.

Since subjectivity is self-expression through action, it makes reference to other wills as well, because actions are public; they affect others, and can be recognized by others. My sense of self-determination depends upon my actions being recognized as mine by other wills, just as I recognize others through their actions. "The content is determined for me as *mine* in such a way that, in its identity, it *contains* my subjectivity *for me* not only as my *inner* end, but also in so far as this end has achieved *external objectivity*" (PR §110). In order to be subjects, then, we have to understand others in the same way we understand ourselves, as self-determining wills. In this way, subjects share a common will in a way that persons do not. "[T]he external subjectivity which is thus identical with me is the *will of others*" (PR §112).⁶⁵

In order to be self-determined, then, I need to be able to recognize that my will is expressed by my actions. However, actions are complex and susceptible to a variety of descriptions; therefore, it is necessary to distinguish what is

⁶⁵This argument, as Wood notes, is "terse and obscure". The substantial idea behind it is that since my end as a subject is not merely subjective satisfaction but an external result, it follows that my rational concern as a subject is essentially about external or public objects. Such objects are there for others as well as for myself. These others are subjects, too, with desires and interests of their own. Because my subjectivity is actualized only in what is present for these others, the universality (or rationality) of what I do must take account of the interests of others as well as my interests. Their standpoint on the rationality of what I do is equal to my standpoint." Wood, *op. cit.*, pg. 136

essentially mine in an action from what is contingent. The essential feature of any action that is attributable to me is that it expresses my intention, the end which I consciously try to produce. "The right of intention is that the *universal* quality of the action shall have being not only *in itself*, but shall be *known* by the agent and thus have been present all along in his subjective will..." (PR §120). Without the "right of intention", any action in which I am involved could be attributed to me, whether or not it was something that I tried to bring about, which would contradict the notion of self-determination.

Intention has a double function. On the one hand, it is the universal aspect whereby actions can be ascribed to an individual objectively, i.e. by others. On the other hand, it is because actions express intentions that they have a particular content, the content of this individual rather than any other. Intentions allow us to find our satisfaction in our actions. "The fact that this moment of the *particularity* of the agent is contained and implemented in the action constitutes *subjective freedom* in its more concrete determination, i.e. the *right* of the *subject* to find its *satisfaction* in the action" (PR § 121).

The idea of self-determination does not as such give determinate content to actions. Although actions are supposed to express our intentions, this is only a formal requirement, it is "formal activity itself, inasmuch as the subject *actively* commits itself to whatever it is to regard and promote as its end" (PR §123). The determinate content of the subjective will comes from "its *natural subjective existence* — its needs, inclinations, passions, opinions, fancies, etc." (PR §123). Through satisfying our natural existence, we achieve our "welfare or happiness" (PR §123). Welfare is not arbitrary, because the ends satisfied in it are the ends

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of particular individuals, with which they can identify. For instance, I know that in the satisfaction of my desire to study Hegel, I am self-determining, because I chose to pursue it.

As a subject, then, I must try to pursue my welfare as a free will. Freedom is conditioned by the commandment of right, i.e. the duty to be a person and respect others as persons. In order to determine myself, I need to be free from interference from others. "My particularity, however, like that of others, is only a right at all in so far as I am *free*. It cannot therefore assert itself in contradiction to this substantial basis on which it rests" (PR §126). Freedom is only worthwhile insofar as it allows me to be self-determining; however, I cannot be truly self-determining unless I act in accordance with right. Right and welfare are interdependent. Or as Kant might have put it, "right without welfare is empty; welfare without right is blind." The problem is, however, that it is not at all clear how both of these can be satisfied. In fact, they clearly come into collision in the case of necessity. There are cases where in order to preserve one's life it is necessary to infringe the rights of another, "for the alternatives are an infinite injury to existence with total loss of rights, and an injury only to an individual and limited existence of freedom, whereby right as such and the capacity for rights of the injured party, who has been injured only in *this* specific property, continue to be recognized" (PR §127).

The final aspect of morality, then, is the possibility that right and welfare can be reconciled either objectively in seeking the good or subjectively in acting out of conscience.

The first possibility is the good, “the unity of the *concept* of the will and the *particular* will” (PR §129). It unites right and welfare by raising welfare to universality. Welfare is no longer understood as the particular aim of individuals, but as a universal pursuit. Welfare is to be realized as the welfare of all, in accordance with the commandment of right. “Within this idea, welfare has no validity for itself as the existence of the individual and particular will, but only as *universal* welfare and essentially as *universal in itself*, i.e. in accordance with freedom” (PR §130). Right and welfare are to be understood as interdependent; one without the other fails to be the good.

The requirement for the individual, as a self-determined, free will, is to realize the good, for “the good must necessarily be actualized through the particular will” (PR §130). However, because the good is universal in character, and individuals are particular, the good is initially only something that we ought to realize. That is, right and welfare do not as such coexist, and therefore we have a duty to conform our actions to the notion of the good, in order to bring it into existence. “Because *particularity* is distinct from the good and falls within the subjective will, the good is initially determined only as *universal abstract essentiality* — i.e. as *duty*” (PR §133). However, actions are necessarily determinate; as the actions of particular beings, they have content. In order for us to act dutifully, we need to know what duty requires us to do. “[T]he question arises: *what is duty?* For this definition, all that is available so far is this: to do *right*, and to promote *welfare*, one’s own welfare and welfare in its universal determination, the welfare of others” (PR §134).

The problem here is that doing right and promoting welfare are abstract. They require determinate content in order to be fulfilled, and this is what the notion of duty, the good in itself, fails to provide. This is Hegel's criticism of Kant's idea of rational autonomy as expressed in the categorical imperative. Kant's requirement was that rational autonomy should be free from empirical taint (otherwise it is heteronomy). But this results in the situation of a will which only knows that it has to act from duty, not what it in fact should do. The result of the good as the basis for freedom, then, is that it alienates once more the individual from her actions. Although the moral will which seeks to act in conformity with the good knows that its actions express its will, it has no way of knowing what the good to be realized is, other than acting from duty.

The second possibility is that right and welfare can be reconciled subjectively, in the "absolute inward certainty of itself" which is conscience (PR §136). Unlike the good, conscience is particular and determinate, because it depends upon the individual's will. "*Conscience* expresses the absolute entitlement of subjective self-consciousness to know *in itself* and *from itself* what right and duty are, and to recognize only what it thus knows as the good; it also consists in the assertion that what it thus knows and wills is *truly* right and duty" (PR §137).

The problem with conscience, however, is that, although it provides the individual with determinate duties, the individual has no way of evaluating whether or not those duties actually do conform to the universal requirements of right and welfare. "But whether the conscience of a *specific individual* is in conformity with this Idea of conscience, and whether what it *considers* or

declares *to be good* is also actually good, can be recognized only from the *content* of this supposed good" (PR §137). Hegel's argument is that the moral conscience (which he distinguishes from the true conscience) is incapable of determining whether its actions are truly good. "The ambiguity associated with conscience therefore consists in the fact that conscience is assumed in advance to signify the identity of subjective knowledge and volition with the true good, and is thus declared and acknowledged to be sacrosanct, while it also claims, as the purely subjective reflection of self-consciousness into itself, the authority which belongs only to that identity itself by virtue of its rational content which is valid in and for itself" (PR §137). Since this is an internal standard, it is always susceptible to perversion into evil, because I am incapable of distinguishing the moral law from what my conscience tells me. I can never be assured that in my actions what my conscience tells me is right is actually realized. Because the only standard is my own conscience, I cannot be sure that I have acted upon my conscience in the right manner.

The problem is twofold. Not only can I never be sure that what my conscience dictates is the right course of action is what I actually do (i.e. I may attempt to do what my conscience tells me, without succeeding) In addition, I can never be sure that I am not merely describing the action so as to satisfy my conscience. "Conscience, as formal subjectivity, consists simply in the possibility of turning at any moment to *evil*; for both morality and evil have their common root in that self-certainty which has being for itself and knows and resolves itself" (PR 139).

Here we see another aspect of alienation. Although I am not alienated from my actions because I know them to be determined by me, as acting in accordance with my conscience, from this standpoint I am unable to act with any kind of certainty that what I am doing is indeed moral. The situation here is the reverse of that situation where right actions are determined externally to me and my ability to identify with them is purely arbitrary. Alienation arises here because the certainty required by individuals of the moral rectitude of action is precisely what is denied from the standpoint of morality.

This is an aspect of Hegel's antifoundationalism which contrasts with the kind of universalism of the moral law that Kant espouses. Can we have knowledge of universal moral law (in Kant's case, the categorical imperative) and at the same time be sure that we are realizing it correctly? Even if the moral law is knowable independently of anything else, our own actions are not so independent, i.e. they take place in a world which is not merely subjective.

Ethical Life and the Modern State

The deficiencies of the concepts of abstract right and morality as the basis for freedom show that for individuals to be free, something further is required to reconcile the objective character of the good and the subjective certainty of conscience. It is ethical life [*Sittlichkeit*], "the identity — which is accordingly *concrete* — of the good and the subjective will" (PR §141). It is ethical life which is the "support and foundation" of right and morality, of the objective and the subjective good. (PR §141A). They are existent only in ethical life because only in

ethical life are they recognized as being interdependent. "Hence *duty* and *right* coincide in this identity of the universal and the particular will, and in the ethical realm, a human being has rights in so far as he has duties, and duties in so far as he has rights" (PR §155).

Ethical life is "the spirit of the nation" (EM §514), the way of life of a nation or community, as embodied in the "laws and institutions which have being in and for themselves" (PR §144). However, ethical life is not simply the given laws and institutions, customs and practices of a community. Since ethical life reconciles personality with subjectivity, it must therefore have its existence in the conscious life of individuals. It must exist as objective for individuals, and yet at the same time as their own, not as something alien to them. "Ethical life is the *Idea of freedom* as the living good which has its knowledge and volition in self-consciousness, and its actuality through self-conscious action. Similarly, it is in ethical being that self-consciousness has its motivating end, and a foundation which has being in and for itself" (PR §142).

Ethical life must therefore be known by the individuals it comprises. "Since this unity of the concept of the will with its existence, i.e. with the particular will, is knowledge, consciousness of the difference between these moments of the *Idea* is present, but in such a way that each of these moments has become for itself the totality of the *Idea* and has the latter as its foundation and content" (PR §143).

In order for the ethical to be present for consciousness, it must be rational, not merely given. Individuals, as rational wills, must be able to comprehend ethical life.

"The fact that the ethical sphere is the system of these determinations of the Idea constitutes its *rationality*. In this way, the ethical sphere is freedom, or the will which has being in and for itself as objectivity, as a whole of necessity whose moments are the *ethical powers* which govern the lives of individuals. In these individuals — who are accidental to them — these powers have their representation, phenomenal shape, and actuality" (PR §145).

On the one hand, individuals can only exist as persons and subjects because they exist in an ethical community. On the other hand, the ethical community is only actual through the members of the community. This kind of interdependence is evident in the case of a linguistic group. The English language, for instance, transcends any particular speaker and is objective (to English-speakers), in that the words which make up English are not private possessions or symbols imbued by each speaker (as by Humpty Dumpty) with her own meaning.⁶⁶ Rather they have some generally accepted meaning. At the same time, English, unlike Etruscan, is a living language because it is spoken by individuals and thereby given life, or actuality.

We need to examine in detail how ethical life and individuals relate to each other. For it is possible to interpret Hegel's notion of ethical life in a totalitarian way, as, for instance, in Karl Popper's *The Open Society and Its Enemies*.⁶⁷ What has to be shown is that if ethical life solves the problem of alienation that arises from the standpoints of abstract right and morality, it does not do so by requiring individuals to sacrifice their interests to the interests of the community. If alienation still exists in a way of life, it must be that the way of life is deficient.

⁶⁶"When I use a word," Humpty Dumpty said in a rather scornful tone, "it means just what I choose it to mean—neither more nor less." Carroll, L., *Through the Looking Glass and What Alice Found There*, in *The Complete Illustrated Works of Lewis Carroll*, Avenel Books, New York, 1982, pg. 136.

⁶⁷Routledge and Kegan Paul, London, 1945.

There are three passages in particular in this section of the *Philosophy of Right* that a Popperian could cite as evidence for Hegel's totalitarianism:

Whether the individual exists or not is a matter of indifference to objective ethical life, which alone has permanence and is the power by which the lives of individuals are governed. (PR §145)

In relation to the subject, the ethical substance and its laws and powers are on the one hand an object, inasmuch as *they are*, in the supreme sense of self-sufficiency. They are thus an absolute authority and power, infinitely more firmly based than the being of nature. (PR §146)

...the self-will of the individual, and his own conscience in its attempt to exist for itself and in opposition to the ethical substantiality, have disappeared... (PR §152).

These passages seem to say that the individual counts for nothing in relation to the ethical community. Her existence is a "matter of indifference", the ethical substance has "absolute authority and power" and thus self-will disappears. Existence in an ethical community is therefore a matter of divesting oneself of one's will, acknowledging the authority of the community, and ultimately being insignificant. The only cause of alienation, on this reading, would be from individual self-will and self-assertion against the laws and institutions of the community.

This reading, however, does not cohere with Hegel's concept of right. In the first numbered paragraph, Hegel states that "[t]he Idea of right is freedom" (PR §1). The entire *Philosophy of Right* is an investigation of how freedom is possible, and it would be peculiar, to say the least, if the end result of the examination of the limitations of negative freedom and self-determination as the basis of freedom were to be a totalitarian state which is inimical to both. Whilst it is true that Hegel's concept of freedom, as we have seen, is different from the liberal concept, in examining abstract right and morality, Hegel has taken great

pains to show the necessity of both.⁶⁸ As well, he claims that "[t]he right of *subjective freedom*, is the pivotal and focal point in the difference between *antiquity* and the *modern age*" (PR §124).

Individual freedom is reconciled with ethical life because it unites subjectivity with objectivity. The objectivity of the laws and institutions which constitute the community have their actuality in individuals (PR §145), for it is only through being actualized in the lives of the individual members that the ethical laws and institutions have any existence. If the ethical community is predicated on the subjugation of individuality, subjective freedom would be impossible. Individuals would always be confronted with an alien power, with which they could not identify. It is the possibility of identification with the ethical community that gives it its authority.

"...[the ethical substance and its laws and powers] are not something *alien* to the subject. On the contrary, the subject bears *spiritual witness* to them as to *its own essence*, in which it has its *self-awareness* and lives as in its element which is not distinct from itself..." (PR §147)

That is, it is only the individual's self-awareness that she is a member of this ethical community that gives the laws and powers their authority. Subjectivity finds its satisfaction in the ethical community because as members of the community individuals are able to determine themselves in an objective fashion. The existing institutions, insofar as they are rational, make it possible for

⁶⁸Liberals are usually proud of the fact that they mean by freedom what most people mean by it, not what Hegel means. They usually think freedom is the absence of obstacles to doing as we like, whether our choices are good or bad, rational or arbitrary. Confronted with Hegel's doctrines, they often think that his praise of freedom is a dangerous deception; they fear that he wants to restrict freedom as they mean it in the name of freedom as he means it. Such fears are largely unfounded. Hegel's ethical theory is not based on freedom in the ordinary sense, but it does not follow from this that Hegel's theory is hostile or even indifferent to freedom in the ordinary sense. On the contrary, Hegel thinks that in the modern world, people cannot be free in his sense unless social institutions provide considerable scope and protection for arbitrary freedom." Wood, A., ed. G.W.F. Hegel, *Elements of the Philosophy of Right*, *op. cit.*, pg. xiii.

individuals to know that the satisfaction of their aims is objectively good, i.e. combines right and welfare. Conversely, it is only insofar as the members of the community actually do determine themselves objectively that the ethical community has any existence.

The right of individuals to their subjective determination to freedom is fulfilled in so far as they belong to ethical actuality; for their certainty of their own freedom has its truth in such objectivity, and it is in the ethical realm that they actually possess their own essence and their inner universality. (PR §153).

Without a way of life, individuals can be persons or subjects, but not both. Without free members, however, the way of life cannot be meaningful. Ethical life provides significance to its members because under the laws and institutions, which transcend their own self-certainty, they can be aware that their activities are worthwhile. "The right of individuals to their *particularity* is likewise contained in ethical substantiality, for particularity is the mode of outward appearance in which the ethical exists" (PR §154)

For this reason, Hegel can claim that "[a]ll the aims of society and the state are the private aims of the individuals" (EM §486), not merely as a free market society which is merely the sum total of the aims of individuals, but as the collective good of the actualization of freely self-determining individuals through objective institutions. "Hence *duty* and *right* coincide in this identity of the universal and the particular will, and in the ethical realm, a human being has rights in so far as he has duties, and duties in so far as he has rights." (PR §155).

In the *Phenomenology*, Hegel examines various forms of ethical life, or spirit. All of the forms he considers are deficient in one way or another, but in that text he moves from spirit to religion without ever outlining what he considers the non-alienated ethical life appropriate to the modern age to be. In the *Philosophy of Right*, we find out that it is the modern state which is to provide individuals with

the ethical life appropriate to their time. That is, the modern state reconciles, in Hegel's view, freedom as abstract right and the subjective freedom of morality. The state overcomes alienation by supporting the existence of two distinct spheres of human association, namely family and civil society, and raises the principles inherent in both to the level of objectivity and hence rationality.

The family represents the immediate identification of the individual with others. "which is *love*" (PR §158). It is "immediate or *natural* ethical spirit" (PR §157), in which the idea of unity and membership is preserved. "Thus, the disposition [appropriate to the family] is to have self-consciousness of one's individuality *within this unity* as essentiality which has being in and for itself, so that one is present in it not as an independent person but as a *member*" (PR §158).

Yet the family is self-destructive, eventually, because of its naturalness. Individual members are unable to be both a part of it and yet separate from it. That is, it fails to allow for subjective freedom, for self-determination. The roles that individuals have in the family, i.e. father, mother, child, are pre-determined, and thus the relationship between family members is not subject to choice. In those situations where individual members leave to start new families, or die, the moment of unity is either not continued from one family to another, or is lost altogether.⁶⁹

Civil society, on the other hand, makes possible the relationship of individuals as particular persons. "Individuals, as citizens of this state, are *private*

⁶⁹For a criticism of Hegel's notion of the family, and especially his division of the roles of the sexes, see Solomon, *op. cit.*, pp 538-46.

persons who have their own interest as their end" (PR §187) In civil society we observe all the practices and institutions that arise out of the needs and wants of individuals seeking their particular self-satisfaction. These are (i) the "system of needs", which addresses natural needs and their satisfaction, work, and resources; (ii) the "administration of justice", which deals with positive civil law, the court system, and due process; and (iii) the "police and the corporation", which deals with public welfare organizations such as the education system and public works, and economic associations such as unions. The distinction between civil society and the state is of particular importance, since in civil society, which in many ways resembles the classical liberal state, individuals are free to pursue their particular interests insofar as these do not impinge upon others. In other words, freedom in civil society entails minimal restrictions to ensure maximal liberty. The highest good in civil society is for its members to achieve satisfaction of their particular ends.

The concrete person who, as a *particular* person, as a totality of needs and a mixture of natural necessity and arbitrariness, is his own end, is *one principle* of civil society. But this particular person stands essentially in *relation* to other similar particulars, and their relation is such that each asserts itself and gains satisfaction through the others, and thus at the same time through the *exclusive mediation* of the form of *universality*, which is the *second principle* (PR §182).

Through this mediated universality, the particular interests of individuals are combined into more universal interests, such as is the case with labour unions, or with public works. It is in the interests of each individual member of a union to form and belong to it, but the union itself is an institution which is universal in the sense of transcending particular interests. Similarly, although the existence of public works may be in my interest (for instance, power plants to

provide electricity so that I can run my computer), and in the interests of others, the existence of public works benefits all the members of civil society.

The problem facing the institutions engendered by civil society is the conceptual difficulties involved in seeing them in terms of the universal good, or as inherently rational. Their existence is contingent and liable to alienate individuals from them. Although the institutions arise because "the whole complex [of needs and resources] evolves into *particular systems* of needs, with their corresponding means, varieties of work, modes of satisfaction, and theoretical and practical education" (PR §182), and thus there is "a system of all-round interdependence" (PR §183), we lack the means of identifying with them. The system of interdependence is a dependence upon others as particulars, as they are determined by their needs, and is therefore always antagonistic. The needs of others may not be the same as one's own needs. They may, in fact, be opposed.

It is in the state, then, that Hegel thinks that self-awareness and self-determination find their true home. The state is what overcomes the sheer immediacy of the customs and practices of the family, and the contingent universality of the institutions of civil society. It brings to awareness the nature of these institutions, such that individuals can recognize what is rational in them.

The state is the actuality of the ethical Idea — the ethical spirit as substantial will, *manifest* and clear to itself, which thinks and knows itself and implements what it knows in so far as it knows it. It has its immediate existence in *custom* and its mediate existence in the *self-consciousness* of the individual, in the individual's knowledge and activity, just as self-consciousness, by virtue of its disposition, has its *substantial freedom* in the state as its essence, its end, and the product of its activity (PR §257)

The state as Hegel views it must be understood as the uniting element of family life and civil society, and in that sense is not something independent of them. That is, the state does not simply replace the institutions present in the family and civil society with other institutions. Rather, through the constitution and government it elevates the principles of the family and civil society to a level where they can be understood as rational, and therefore objective.

In relation to the spheres of civil law and private welfare, the spheres of the family and civil society, the state is on the one hand an *external* necessity and the higher power to whose nature their laws and interests are subordinate and on which they depend. But on the other hand, it is their *immanent* end, and its strength consists in the unity of its universal and ultimate end with the particular interest of individuals, in the fact that they have *duties* towards the state to the same extent as they also have rights. (PR §261)

The role of the state, then, is to harmonize particular interests, to make them universal in such a way that individuals can recognize the value of their interests and can be free to pursue them, i.e. can be self-determining. In doing so, it also inculcates in individuals a disposition to conceive of their actions as supportive of the state and to understand the coalescing of rights and duties. “[I]t is only with the emergence of the state that the laws and institutions informing the life of a people acquire the character of an integrated and complete rational system.”⁷⁰ The state does this through the constitution and the organs of government.

Hegel’s state, then, is a political entity, but not one simply identifiable with government. As Hinchman puts it, “[i]t therefore encompasses not only objective institutions, but also the attitudes of its citizens toward those institutions (something like what political scientists call “political culture”).”⁷¹

⁷⁰Schacht, R.L., “Hegel on Freedom”, in *Hegel A Collection of Critical Essays*, ed. A. MacIntyre, University of Notre Dame Press, Notre Dame, 1976, pg. 318.

⁷¹Hinchman, L., *Hegel’s Critique of the Enlightenment*, University Presses of Florida, Gainesville, 1984, pg. 232. At a later point in this book, Hinchman criticizes Hegel for

It is particularly the notion of the constitution that shows how the state universalizes and makes rational the institutions of civil society is evident. For Hegel the constitution of a state is not something imposed upon it, and hence upon its individual members. Rather, it is the development into rational form of the existing customs and institutions.

Since spirit is actual only as that which it knows itself to be, and since the state, as the spirit of a nation, is both the law which *permeates all relations within it* and also the customs and consciousness of the individuals who belong to it, the constitution of a specific nation will in general depend on the nature and development of its self-consciousness; it is in this self-consciousness that its subjective freedom and hence also the actuality of the constitution lie. (PR §274).

The point of a constitution, then, is not to impose an alien form upon the existing institutions and customs, but to take what is rational in them and put it in a form in which it can be recognized by individuals. In understanding the constitution, individuals can understand the rationality of their institutions and the way in which these promote freedom. By constitution, then, Hegel means something more than just the guarantee of political freedom. “[B]y constitution must be understood the determination of rights, i.e. of liberties in general, and the organization of the actualization of them; and that political freedom in the above sense can in any case only constitute a part of it” (EM §539). The relationship between the constitution and the spirit of the nation is a circular, and inseparable, one. “The constitution presupposes that consciousness of the collective spirit, and conversely that spirit presupposes the constitution” (EM §540).

In other words, the constitutional state manifests the notion of **collective commitment** at the heart of ethical life. That collective commitment, as present to the consciousness of individuals, is what Hegel calls political disposition. "This disposition is in general one of *trust* (which may pass over into more or less educated insight), or the consciousness that my substantial and particular interest is preserved and contained in the interest and end of an other (in this case, the state), and in the latter's relation to me as an individual. As a result, this other immediately ceases to be an other for me, and in my consciousness of this, I am free" (PR §268). Thus there is an onus upon citizens to defend the way of life that the state embodies, because it is their own way of life and renders their lives can meaningful.

There are two points that must be emphasized about Hegel's concept of the constitutional state as the actualization of freedom. The first is that Hegel is not claiming that the states with which he was familiar (e.g. Prussia, France and England) did actually reconcile subjective freedom and right. The constitutional state that Hegel presents in the *Philosophy of Right* is the "Idea of the state" and not any "particular states or particular institutions" (PR §258 Addition). That is, it is the rational aspect of the state, which any existent state can only approximate.⁷² Therefore, any particular state must be seen in the light of this idea, and not just the particular defects which it manifests.

Any state, even if we pronounce it bad in the light of our own principles, and even if we discover this or that defect in it, invariably has the essential moments of its existence within itself (provided it is one of the more advanced states of our time)....The state is not a work of art; it exists in the world, and hence in the sphere of arbitrariness, contingency, and error, and bad behaviour may disfigure it in many respects. But the ugliest man, the

⁷²Avineri, *op. cit.*, pg. 177.

criminal, the invalid, or the cripple, is still a living human being; the affirmative aspect — life — survives in spite of such deficiencies, and it is with this affirmative aspect that we are here concerned. (PR §258 Addition).

The second point, which is related to the first, is that because states do exist “in the sphere of arbitrariness”, once we understand what is rational about the state, we can understand the ways in which a particular state is deficient, and therefore have a rational basis for criticism. Since the state is only actual insofar as it does reconcile subjective freedom and universal good, any state which fails on either count can be known to be deficient. “It has often been said that the end of the state is the happiness of its citizens. This is certainly true, for if their welfare is deficient, if their subjective ends are not satisfied, and if they do not find that the state as such is the means to this satisfaction, the state itself stands on an insecure footing” (PR §265).

The question that has to be directed at Hegel is, when is criticism appropriate? How many unsatisfied citizens are required before the state is no longer the actuality of concrete freedom? Obviously, one alienated person does not a revolution ground, but surely the state is deficient long before everyone is alienated. In the Conclusion, we shall return to the *Phenomenology*, to look at the analyses Hegel gives there of alienated and hence deficient ways of life.

Conclusion: Alienation and the Evaluation of Communities

We have seen that Hegel understands alienation, the sense of individual estrangement from the social context, as a product of individualistic conceptions of human beings. He argues in the *Philosophy of Right* that a different understanding of freedom is necessary to see the possibility of a non-alienating way of life. The question I want to consider here is, how does alienation function as a criterion of the failure of a way of life? If the rational state which grounds freedom is an ideal, how much alienation can be tolerated? It is one thing to look back, with Hegel, at historical examples of ways of life and pronounce them inadequate to the concept of freedom, quite another to apply the concept to the situations that confront us today. And no-one, least of all Hegel, would claim that he himself anticipated all the possibilities for ways of life.⁷³

Hegel gives us several examples of alienated societies in chapter VI of the *Phenomenology*. I will briefly examine two of them, to show the way in which alienation exists in them, and how it can be understood as an internal basis of criticism. The two I focus on are: (i) "Culture and its realm of actuality", in which collective commitment is based upon individuals conforming themselves to cultural standards, whereby they achieve the sense of universality through their own individual activity; and (ii) "Absolute Freedom and Terror", in which collective commitment is understood in terms of the will of the people, the general or universal will.

Although Hegel models these examples on historical societies (the *ancien regime* in the former case, the French Revolution and the reign of terror in the latter), it is important to note that the different periods that Hegel discusses are

⁷³For a dissenting view see Inwood, M., *Hegel*, Routledge and Kegan Paul, London, 1983, pp.496-519.

examples of various ways of life, and therefore those ways of life should not be thought of as particular to the historical light in which Hegel casts them. As Loewenberg puts it, "[t]he subject matter of the *Phenomenology* ... consists of ways of experience and conduct conceived as generic, and as thus conceived the question of their chronology becomes totally irrelevant. Datable are not the genera exhibited but the species chosen to exemplify them".⁷⁴

Culture and its Realm of Actuality

Human beings exist as natural beings, in that they have natural needs and desires, for food, clothing, shelter, and so on. The only thing that unites us as natural beings is that we all have these needs. — the ways in which we satisfy them can be quite diverse. The idea of culture, however, involves the notion of shared practices and shared understandings. The way of life which Hegel considers in this section is characterized by a particular way in which individuals can achieve a sense of collective commitment, namely through cultural conformity. That is, we can satisfy our needs in certain ways, by eating certain kinds of food, wearing certain clothes, and so on. In this way, we mould ourselves as cultural beings, as opposed to merely natural beings.

Hegel's term for this is "alienation of the personality", by which he means the estrangement of our purely negative freedom (in this case, the freedom to satisfy our natural needs in any way we choose) (PhS ¶484). Individuals can choose to satisfy their needs and desires in accordance with socially recognized values. What is achieved in the self-estrangement in favour of social standards is a sense of shared understandings, and a collective commitment to a way of life. The social standards that Hegel considers here are those of taste, fashion, good

⁷⁴Loewenberg, *op. cit.*, pg. 211.

manners, and so on. They are standards that have no natural existence, and therefore bind individuals together because they have their existence as shared values.

The process in which the individuality moulds itself by culture is, therefore, at the same time the development of it as the universal, objective essence, i.e. the development of the actual world. Although this world has come into being through individuality, it is for self-consciousness immediately an alienated world which has the form of a fixed and solid reality over against it. But at the same time, certain that this world is its substance, it sets about making it its own. It gains this power over it through culture which, looked at from this aspect, has the appearance of self-consciousness making itself conform to reality, and doing so to the extent that the energy of its original character and talent permits. What appears here as the power and authority of the individual exercised over the substance, which is thereby superseded, is the same thing as the actualization of the substance. For the power of the individual consists in conforming itself to that substance, i.e. in externalizing its own self and thus establishing itself as substance that has an objective existence. Its culture and its own actuality are, therefore, the actualization of the substance itself. (PhS ¶490).

Hegel's sense of "culture" is very similar to the anthropological sense of "culture", as the norms of a particular social group through which they define themselves.⁷⁵ As cultured individuals, then, we are able to achieve the sense of solidarity necessary for a way of life, because cultural standards transcend particular individuals. That is, there is no such thing as a personal culture. As well, cultural standards are something we actively pursue. We actively attempt to conform ourselves to the standards of our culture. In this way, they are propagated across the society and through time.

In conforming to our culture, then, we obtain subjective freedom, because we can understand our individual activities as activities we have chosen. That is, we determine ourselves to be cultural beings. As well, we obtain objective standards for our activities, and we can know them as objective, Hegel thinks, because the standards exist in the form of judgements of taste, decorum, and so on. These are characterized as judgements of "good and bad" (PhS ¶491). What

⁷⁵Loewenberg, *op. cit.*, pg. 210.

counts as good is that which allows individuals to express themselves through their cultural conformity; what counts as bad is that which is divisive.

Hegel examines the way cultured individuals relate to two social spheres, the political, which he calls "state power", and the economic, which he calls "wealth" (PhS 494). He chooses these, I take it, because any association of individuals requires a sphere of economic activity and a sphere of self-government.⁷⁶ Initially, political activity appears good, because it allows for a more universal form of cultural conformity, whereas economic activity appears bad because it fosters self-interest. However, political activity can equally appear to be bad, because it "disowns action *qua* individual action and subdues it into obedience" (PhS ¶497), i.e. the political has power over the individual. On the other hand, individual economic activity can appear to be good, because it produces enjoyment for everyone, by fueling the economy. "It is *implicitly* universal beneficence" (PhS ¶497).

Since judgements of good and bad can be applied to either state power or wealth, neither one can be understood as providing a cultural standard to which individuals can conform. They are therefore not vehicles of culture in themselves. Yet society requires both spheres of activity. Therefore cultural standards in relation to these spheres have their existence in the attitudes individuals have towards them. That is, the shared understandings which are embodied in judgements can only be applied to the manner in which individuals engage in political or economic activity. Thus individuals are culturally judged as either noble or base (PhS ¶500-1).

⁷⁶Hegel's exclusive focus on these may, however, be occasioned by his use of the *ancien regime* as the model for culture, with its historical clash between the aristocracy and bourgeois aspirations, as pointed out by Solomon, *op. cit.*, pg. 554.

The noble consciousness sees both activities as worthwhile in different respects. It sees that state power supports freedom, and wealth supports self-satisfaction. The base consciousness, however, sees state power as denying her self-satisfaction, whereas wealth denies her freedom (PhS ¶500-1). As noble, the individual sacrifices herself to the state. "This consciousness is the heroism of *service*, the *virtue*, which sacrifices the single individual to the universal, thereby bringing this into existence..." (PhS ¶503). In this self-sacrifice, state power is made actual, because it is acknowledged as superior to the individual. However, since individuals understand themselves and each other as conforming to social standards, this self-sacrifice can be seen in another way, as self-aggrandizement in the form of honour (PhS ¶505). Service to the state can be understood as another social standard, by which individuals can be judged. This is the province of the "haughty vassal ... who knows himself to be esteemed only in that *honour*, only in the *essential* representation of him in general opinion..." (PhS ¶505). For this reason, any counsel that the vassal gives supposedly in the interests of the general good is always suspect, because it may be that the vassal is acting out of particular self-interest (PhS ¶506).

Thus the noble consciousness can equally be seen as an ignoble consciousness, acting only for its own good. The only difference is in the cultural mode that each chooses. They are in fact identical, for they share a common feature in the language both use. The noble consciousness turns to the language of flattery, in order to retain its status with respect to the state power. The base consciousness turns to the language of flattery, because it is in flattery that wealth takes on significance (PhS ¶511-12, 520)

As language becomes the language of flattery, however, it loses the power it has to express judgements in a collective way, for any judgement can be taken as a form of flattery. In calling something good, the individual can only indicate

her desire to be heard saying that this is good. Ultimately, it is in language that the dissolution of culture occurs. Rather than being the medium through which the judgements that propagate culture can be made, it turns into a medium which only expresses the individual, the pure 'I' (PhS ¶508). At this point cultural conformity becomes impossible, for culture no longer has a medium. "This judging and talking is, therefore, what is true and invincible, while *it* overpowers everything; it is solely with this alone that one has truly to do with in this actual world" (PhS ¶521).

Admittedly, this is a very brief outline of one of the longest sections of the *Phenomenology*. Nevertheless, it does serve to indicate how alienation can function as a critique of a way of life. In culture, the notions of good and bad are themselves part of the collective commitment, because of the role that judgement plays in establishing standards of cultural conformity. Therefore a cultured individual could not use good and bad as standards for judging the way of life itself. However, the alienation of individuals from social interaction through their inability to actually conform to cultural standards indicates the inadequacy of this way of life. A society whose collective commitment is based solely on cultural conformity is alienating because of the failure of any institutions to mean anything. The significance of any particular institution is thoroughly indeterminate, and eventually language itself becomes alienating, because it fails to express anything more than pure expression.

Absolute Freedom and Terror

If alienation is evident in a society in which freedom is understood as the identification of the individual with cultural standards, is it possible for non-alienated freedom to exist in a society without cultural standards, that is, without

traditions? Hegel sees this situation in the French Revolution, in which individuals understand themselves as free because they are part of a collective. Their will is the "general will" (an obvious reference to Rousseau) (PhS ¶584). The awareness of freedom depends upon individuals understanding themselves as identified not with their "social groups or classes", but with the people as a whole. That collective commitment abolishes any social articulation. "[T]he individual consciousness that belonged to any such sphere, and willed and fulfilled itself in it, has put aside its limitation; its purpose is the general purpose, its language universal law, its work the universal work" (PhS ¶585).

The problem that faces the people in their absolute freedom is that any positive work, any positive law or institution will invariably appear as particular, and therefore in contradiction with freedom itself. "The work which *conscious* freedom might accomplish would consist in that freedom, *qua universal* substance, making itself into an *object* and into an *enduring being* " (PhS ¶588). If the collective exists simply as an undifferentiated mass, then nothing opposes it. However, as soon as it attempts to produce something, whether by passing positive legislation, or by establishing an institution of education or public welfare, it introduces distinctions into the society. A law against theft, for instance, implies distinctions between property owners, between certain types of activity (e.g. exchanges through contract as opposed to appropriation), and between those who fall under it and those who do not. Any social distinctions differentiate the people, and thus they no longer exist as a pure collective or a pure general will.

As well, in its activity of producing something, the collective cannot act as a whole; it needs to be represented. Action, because it is finite, is the action of individuals. But individuality is inimical to the existence of the collective, and thus the only activity possible is "the *fury* of destruction" (PhS ¶589). We can see this quite well in the behaviour of mobs, for instance in the riots in Los Angeles.

Those riots were a response of a community to what it perceived as an injustice done to it, that was a product of systemic injustice. Unlike a protest rally, march, or petition, all of which involve collective action yet articulate themselves through organizers, speakers, and so on, the activity of the rioters was one of destruction. Hegel's point is that a general will which is opposed to any form of articulation can only be destructive, because constructive action depends upon differentiation of both the objects of the action, and the participants in it.

In its purely negative activity, then, absolute freedom becomes terror. From the point of view of the collective, any government fails to represent its will, and therefore is guilty of a crime against the people. A government that "wills and executes a specific order and action ... excludes all other individuals from its act, and ... thereby constitutes itself a government that is a specific will, and so stands opposed to the universal will" (PhS ¶591). It must be annihilated to show the power of absolute freedom, and thus arises the reign of terror which demonstrates absolute freedom in its opposition to specific wills.

Alienation as internal critique is particularly significant here, because absolute freedom prevents any articulation of individual well-being. It rejects the possibility of criticism itself, because that criticism appears as an attack on the very existence of freedom. It denies the possibility of self-determination through any other collective commitment than the absolute freedom of the social whole. Whereas with culture, the traditions do not allow individuals to "speak" because they are the only standards for association, with absolute freedom, individuals are not allowed to speak because they are not able to make the distinctions necessary in order to be able to identify their own aspirations with the society.

Conclusion

In order to understand ourselves as ethical actors, and to understand the objective character of our ethical values, Hegel argues that we need to conceive of ourselves as socially constructed individuals, obtaining our sense of self-identity and self-worth through our interactions with, and recognition from, others. In the critiques of individualism in the *Phenomenology*, Hegel indicates why understanding ourselves in this way, rather than in terms of a feature which is foundational for self-understanding, is necessary. Understanding ourselves only in terms of the satisfaction of pleasure results in the loss of self-identity in the form of fate, the universal drive to achieve pleasure. Understanding ourselves as individuals insofar as we realize an inner law alienates us from our social surrounding and ultimately from ourselves, as the inner law becomes an oppressive external force which bears no mark of our individual subjectivity. Finally, understanding ourselves as individuals insofar as we virtuously deny individuality turns out to be incoherent.

Thus subjective individualism cannot provide self-understanding because it cannot give a coherent account of the objectivity of the features which it predicates as determinative of individuality and hence of self-understanding. The features that subjective individualism proposes as foundational require shared understandings in order to appear objective to individuals. As we have seen, without such shared understandings, either the features turn out to be incoherent or to be the opposite of the way they were understood by consciousness. In either case, the conception that subjective individualism gives us of social life and our relationship to it is inherently alienating.

What I have called pseudo-objective individualism (following Loewenberg) also fails on this count because it proposes objective features which it is unable to relate to particular individuals and their actions. In the "spiritual animal

kingdom", the social significance of action goes beyond that with which the individual can identify herself, whether as an intention, as a result or as a cause. In the case of reason as lawgiver, the objective standard for moral action turns out to be indeterminate because by itself it does not indicate how it is to be applied. That is, the connection between the categorical imperative as a universal law and its application to particular cases presupposes that those cases are understood in certain determinate ways and not in others.

Conceiving of ourselves as individuals who are free precisely because we share a social context also involves conceiving of society in a way other than as a mere aggregation of individuals pursuing their own self-interest. It means recognizing that society, with its shared practices and trans-subjective ethical validity, actually enables us to achieve freedom and overcome alienation, because it allows us to comprehend the objective worth of our goals and the objectivity of our moral beliefs, yet in a way which still enables us to subjectively identify with them. Hegel's conception of ethical life is intended to bring to light the rational aspect of social existence.

What Hegel has tried to show is twofold. On the one hand, in order for life to be meaningful to individuals, their way of life must provide them with the necessary means to make meaningful choices. The way of life must make it possible for individuals to understand their work, leisure activities, and political institutions as worthwhile to them as individuals. On the other hand, it must not only allow for choices, but also represent, through its public institutions, the collective recognition that there are meaningful choices to be made in a way that allows and encourages individuals to identify with their collective commitment to their way of life.

Alienation, like many other social phenomena, manifests itself at two levels. First, it is a condition that can be keenly felt by individuals. It can be

experienced when one's projects go awry, when one's values turn out to be wrong or inadequate, when one is denied one's rights, or when one's self-image appears false. This can be a result of believing in an individualistic conception of human existence, but in many cases is not. It is unlikely, then, that subscribing to Hegel's notion of freedom and ethical life is a cure for alienation at an individual level (hence the absence of cults of Hegelianism, except in some marginal academic circles).

Second, alienation is a social condition. That is, it is the characteristic of a way of life that fails to allow individuals to live free of alienation of the first kind. Such a way of life may be alienating because it practices an explicit doctrine of individualism. For instance, it may be explicitly libertarian in outlook, as some would argue has occurred in Britain and the United States. Or it may be that the traditions and shared understandings which bind individuals together no longer fulfill that goal. Traditions might be dead, and collective commitment eroding.

The criterion of alienation as a basis for internal social critique can only operate on this social level, because individual alienation may be solely the result of individual peculiarities. A single estranged sociopath, living in a healthy society that does satisfy the welfare of its members, cannot legitimately claim that it is the way of life that is at fault.

What we are concerned with here then, is the existence of, and not the feeling of, alienation. However, as Hegel points out, all states are to some extent contingent and bad, for they exist in the real world, not as ideas (or as the Idea). He saw clearly how modern economic existence, the domain of "Civil Society", contains structures and relationships that are inherently alienating — namely, the mechanization of labour and the disparity of wealth and poverty.⁷⁷ Although it is

⁷⁷For a detailed discussion of this issue, as evident in Hegel's Jena lectures, see Avineri, *op. cit.*, pp. 87-98.

the role of the state to limit the excesses of civil society, Hegel believed that the problem of poverty could never be finally resolved.⁷⁸ According to Hegel, then, there will always be some alienation present in any existent state. It is necessary, then, to understand why alienation exists and what steps can be taken to minimize it.

It would seem that the concepts of negative and positive freedom by themselves can do a lot of the work of social critique. For instance, the condition of slavery was understood as wrong, by individuals in pre-emancipation United States, in terms of respect for persons. Black people are persons, and as such are owed the rights and freedoms due to individuals as persons, i.e. they are owed respect. They did not have negative freedom, and therefore society was unjust. Citizens in Nazi Germany in many cases found they had to compromise their morality in order to save their lives, because of the immorality of the state. Both of these are critiques of a way of life that can be made from within, and neither seems to rely on the ideas of substantive freedom and alienation.

However, alienation can usefully be applied to the case of post-emancipation United States and pre-Nazi Germany. In the first case, although rights were respected, the former slaves were expected to conform to the way of life of their former owners, a way of life to which they perhaps had little or no sense of collective commitment. Since that time they have had a constant struggle against systemic alienation. Thus, members of that society can and do argue (although not perhaps in Hegel's jargon) that the United States is a failing way of life because of that alienation, although all of its citizens are subject to the same rights and duties.

⁷⁸*Ibid.*, pp. 153-4.

In the second case, as Hinchman argues, individuals had little or no sense of collective commitment in the Weimar Republic, because a professional bureaucracy handled all matters of political importance, thereby alienating citizens from their political life.⁷⁹ This can be seen as one of the causes of the rise of National Socialism. Individuals were alienated because the state as a political entity failed to inculcate the disposition towards the collective that is necessary for a way of life to continue to exist.

In this thesis, then, I have argued that Hegel's conception of the relationship between freedom and alienation is valuable to us in understanding the kinds of situations we are faced with in increasingly mechanized and socially disintegrating societies. I have not undertaken the project of articulating a late twentieth-century version of the Hegelian state here. Rather, this thesis has attempted to show why such a project is worthwhile.

⁷⁹Hinchman, *op. cit.*, pg. 262.

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