

The essential structure of modern life

1. The post-phenomenological project

After the *Phenomenology*, Hegel began to work out what was later to become known as “the system,” articulated in his *Encyclopedia of the Philosophical Sciences* (originally published in his Heidelberg years in 1817) and expanded in his lectures in Berlin from his arrival there in 1818 to his death there in 1831. During this period after the writing of the *Phenomenology* and the construction of the “system,” Hegel apparently came to think that it was possible to say more about the structure of this modern community within the dialectical terms he had set for himself. The *Phenomenology* ends with the statement of the modern project: the creation of a reconciled community that would unite the *intellectual* project of modern life – the attempt to create a self-founding form of life – with the *practical* project of modern life, the attempt to create a form of life of self-determining individuals. However, in the *Phenomenology*, this remains as a project, for there is no theory offered there of which practices or institutions could accomplish it.

Among the kinds of watershed events in the European community’s history that the *Phenomenology* had located, the most consequential for the post-phenomenological project was the sense of “groundlessness” in the European community after the decline of the aristocratic ethos. This “groundlessness” is the loss of the intelligibility of there being a natural or “given” hierarchy of ends for belief and action, a set of norms that, so it had been believed, could be “discovered” and inspected directly by conscious agents. Confronting its “groundlessness,” the European community faced two alternatives: either it could go in the direction of nihilism – that is, it could come to the conclusion that there were no authoritative reasons at all – or it could transform the project of “groundlessness” into the project of *self-grounding*. It seems clear that Hegel never seriously considered the nihilistic alternative, since for him that would be stopping the teleological process of that community’s giving a rational account of what was authoritative for itself; nihilism simply was not a rational alternative, for it could not resolve the dilemmas that the collapse of the aristocratic ethos had created, and it did not seem to be a necessary consequence of the experience of “groundlessness.” Hegel did complain about what he thought was the growing subjectivism of his day, by which he meant the idea that what was authoritative for individuals was only what they could personally and idiosyncratically underwrite themselves out of their own

feelings. (In other words, he found his romantic contemporaries' ideas of what counted as a good reason disturbing.)

Nonetheless, if the modern project were to avoid the slide into nihilism, it needed an account of itself that showed that the loss of the intelligibility of there being a natural or "given" hierarchy of ends could be transformed in the reflective practices of modern life into a self-grounded set of ends. Hegel's mature system was intended to accomplish that project. As a "science," a *Wissenschaft*, it was to explore the various ways in which such a project could be carried out in all the areas of modern life: logic (the science of thought), the philosophy of nature (to show that the practices of modern science were on sound logical footing and did not require any postulation of "given" metaphysical entities or modes of "immediate" knowledge), and modern life, with its various institutional structures. This was the famous (or, to many, infamous) "system" of Hegel's Berlin years. In keeping with the idea of this as a *project*, Hegel tended to elaborate it almost entirely in lectures and only occasionally in books. In his *Science of Logic*, the first systematic part of the "system," Hegel attempted to show that thought, taken on its own, could be self-grounding thought. Hegel himself thus took his *Logic* as crucial to his program, not in the sense that it gave him a "dialectical method" that he could then "apply" to other areas (as so many of his followers were later mistakenly to claim) but in the sense that in his view it was crucial for the modern project to show that the enterprise of self-grounding goes all the way down, that there is not some "object of consciousness" that we must simply take as "given" in order to make the kinds of claims that we do.¹

Another major part of the project had to do with the institutional form of modern life. Indeed, part of the difficulty of that project is that from the standpoint of the *Phenomenology* itself, it seems especially difficult to bring it off, since it would seemingly require the kind of *Sittlichkeit* – a form of life embodying a firm sense of "the way things are done" – that the *Phenomenology* had intimated was ruled out for modern life. From the standpoint of the *Phenomenology*, the Greek form of ethical life, *Sittlichkeit*, was seemingly lost forever; the introduction of the kind of self-distancing moral reflection that is completed in the modern form of life had seemed to make its recapture impossible. Yet the *Phenomenology* had also seemed to suggest that something *like* this was required.² The issue, then, for Hegel was whether a more determinate account of agency and social life could be given that would provide more substance to the idea of a reconciled community than was possible with the *Phenomenology*'s "abstract absolute" (as he later called the project of "absolute knowing" sketched out in the end of the *Phenomenology*).³

For Hegel to complete the *Phenomenology* therefore required him to ask whether there were within the practices of modern life a set of social institutions that could be dialectically reconstructed that would support a more determinate conception of practical agency such that something *like* the ancient Greek ethical life, *Sittlichkeit*, could be realized in the modern setting fundamentally characterized by the self-distancing, reflective, universalizing

standpoint of “morality” and for which the basic norm had come to be that of *freedom* as self-determination. The *Phenomenology* shows that the reason why freedom comes to play the role of being *the* norm for modern life lies in the historical insufficiencies of those ways in which the initial responses to the early modern European experience of *groundlessness* failed to provide an adequate account of any authoritative reasons for belief and action that could make those reasons intelligible to modern agents. Those historical insufficiencies thus required the transformation of the experience of groundlessness into the modern project of *self-grounding* as the way in which an account of reasons could be made intelligible to modern agents. Freedom did not become *the* norm because it was a “good” that somehow won out over other competing “goods,” but because it emerged as *the* principle necessary to make up for the historical insufficiencies of the early modern period. But to say that freedom is *the* norm of modern life raises the issue as to whether this norm can provide modern agents with a form of rational self-consciousness or whether it too is burdened with the kinds of insufficiencies that had developed within earlier norms. In effect this again raises the issue that was first brought up in the section in the *Phenomenology* that was concerned with “absolute knowing”: whether the “doers” of the modern world have brought about a state of affairs that the “thinkers” of the modern world could demonstrate to have fulfilled the necessary conditions for counting as a modern form of *Sittlichkeit*; or, to put it differently, whether the kinds of institutions and social practices of modern life could be seen to provide agents with a knowledge about “the way things are done” that at the same time preserves the reflective independence of those agents.

In order to count as legitimate, moreover, any modern form of *Sittlichkeit* must be intelligible to the participants in modern life as a realization of freedom, not just as a form of “shared understanding” or as a form of “overlapping consensus.” In order for a form of life to count as a genuine form of *Sittlichkeit*, the participants in that form of life must *identify* themselves with some social roles; those roles must form a constitutive part of each agent’s self-identity. For this form of *Sittlichkeit* to be legitimate, therefore, each agent must rationally understand himself as *self-directing* in acting on the basis of these role-given ends even though the ultimate ends of action are not created by him as an individual. Only such a form of *Sittlichkeit* could legitimately be said to realize the norm of freedom, at least as it emerges from the development of the *Phenomenology* as a whole, in which to be free is to be “at home with oneself” (*bei sich*, “with oneself,” as Hegel always phrases it).

Indeed, in the *Phenomenology* the norm of freedom emerges in its authentic form *only* in terms of certain structures of *Sittlichkeit* – namely, as the way in which actions become intelligible to agents in terms of the basic valuational structure of their lives, with this valuational structure itself being intelligible only as part of a larger kind of “ethical culture” that makes the agents into who they are. Ancient Greek life thus was free because the agents in it knew what they had to do and they identified with what they had to do. Deficient forms of freedom, on the other hand, were those found, for example, in

stoicism, in which an alienated agent detached himself from the world in order to maintain a certain control over his thoughts and conscious life; the stoic could not be free in his actions because he could not identify himself with any action that was or threatened to be under the compulsion of something other than himself (which was true of all actions). Nor can freedom be adequately understood metaphysically – in the terms of “the understanding” – since the various systems that “the understanding” proposes ultimately turn out to be antinomial and therefore not to be intelligible to the agents themselves. (Or “the understanding” postulates different metaphysical realms for agency that split the agent into two agents – for example, an “empirical” and an “intelligible” subject of action – thus leaving the agent with both a divided self-understanding and with the need for a further account of how these realms could interact.) Freedom must instead be understood *socially* – that is, in terms of the way subjects *take themselves* to be located within their “social space.” To say that one is free only to the extent that one is “at home with oneself” is thus to say that one is free when (1) what one does or thinks is intentional (such that one understands *what* one is doing), (2) what one does is characterized by a form of self-understanding (such that one knows *why* one is doing it), and (3) one rationally identifies one's self with what one is doing or thinking such that one's actions affirm one's self-conception. To say that one is free in terms of this Hegelian conception of being “at home with oneself” is thus not to say anything about one's psychological or causal history; it is to say that one's thoughts and actions fit into one's sense of self-identity in these ways. (Hegel thus avoids any reliance on a conception of freedom that requires any metaphysical conception of agency.) This is of course the Greek conception of freedom as Hegel reconstructs it in the *Phenomenology* and gives it a fully social, non-metaphysical form. Fully developed freedom is thus only possible in a form of *Sittlichkeit* in which certain social ends – what we can call *ethical ends* – exist within the “social space” of agents such that they can make these ends their own and that are fully intelligible to those agents (that is, ends that do not contradict each other, undermine each other, or are constituent parts of practices that themselves make it impossible to achieve those ends but whose criteria of success count as worthy or valid only those actions that achieve those ends). These ethical ends create *common projects* in terms of which an agent's *individual* projects can thereby be identified and evaluated.

The end of the *Phenomenology* shows that these kinds of ends cannot be adequately formulated as universal principles that are valid for *any* rational agent and to which the agent simply must “submit” himself; they must be ends that he *as an individual* would have good reason to incorporate into his concrete plans for action so that he *identifies* himself with acting on the basis of such ends. For them to be ethical ends for *modern* agents, they must be realizations of freedom, which requires them to be ends with which the agent as an *individual* and not merely as the place-holder for a social role can identify. What would these ends be, and how would these agents determine these ends? For the modern agent, they must be determined internally to the

practices that constitute the agent's self-identity. They cannot be determined, for example, by deriving them from any given desires or impulses that an agent might have, for the legitimacy of any given set of desires would itself always be unresolved and tentative. Moreover, since for modern agents there can be no obviously natural way of ordering desires, any given sets of desires or impulses will on their own appear as only facts of nature, as mere presumptions, and thus cannot count as *self*-determined. Moreover, these ends also cannot be seen as realizing any kind of "potentiality" in human nature. They cannot, that is, be understood as lying latently in human nature, requiring only the correct social structure in order to bring them out. Thus, a prevalent early modern strategy – that of seeing humans as potentially free agents who only needed to be set loose from the constraints of the past and of "society" in order to achieve this potential – will also be unsatisfactory in specifying these ends for modern, self-determining, reflective agents. Nor could anything like a Kantian solution be available for this purpose; we cannot ask what are the *transcendental* conditions of the possibility of knowing and acting, for that always rests on some assumption about who we are. The transcendental option must rest on some presumption about the way we experience things and can only construct the conditions for the possibility of *that* experience, thus leaving the legitimacy of that "experience" unresolved and tentative. Thus, for example, in his practical philosophy Kant takes as given the moral experiential structure of certain types of modern agents – namely, that of feeling duty as a check on inclination and impulse and of the centrality of the emotion of guilt. That strategy, even if it were successful at delineating what those ends would be, would make the ethical ends of agency into a function simply of who we now are, and thus it would be unsatisfactory as an account for those agents, since it could at best establish these ends as being rational only if one takes the present standpoint as given.⁴ It thus could not serve to legitimate to modern agents their identifying their own projects with these common projects that are the ethical ends.

The ethical ends of modern agency must be such that they *can* be understood by reflective agents to be determined by free-standing social practices, to be nonetheless rational, and to be authoritative for what it means to be an agent in modern "social space" (to be the kind of common projects that they nonetheless take as "their own"). They cannot be imported from outside human practice, neither from nature, nor from an idea of a human essence that needs to be actualized, nor even from an assumption about who we are now that must be taken for granted. Moreover, if this understanding of the ethical ends of modern agency is to issue from the absolute standpoint itself, it cannot be the result of some kind of external reflection on who we are. The kind of reflection on the ethical ends of modern agency that Hegel is proposing must therefore be continuous with the agents themselves of modern life; the "we" doing the reflecting on the ethical ends of modern agency must be continuous with the "we" who are the community of modern agents, for it is only by virtue of their signifying certain common projects of a community of modern agents that they can count as ethical ends. The ends

that are proposed must therefore be compatible with and be seen to follow from the kinds of self-understandings that modern agents have. Finally, since the participants in modern life supposedly transcend the standpoint of the "unhappy consciousness," they must be capable of uniting their subjective points of view with an objective point of view. The "unhappy consciousness" is that form of life whose authoritative reasons have been sufficiently undermined by skeptical reproaches such that the participants can no longer really believe in them and thus in their form of life, even though they cannot envision an alternative to their form of life. In modern life, if Hegel's account is adequate, that form of alienation should be overcome. The ethical ends of modern agency should be such that a modern agent would be committed to them, yet on stepping back and reflecting on them, can also see their justification, can see how they are legitimate common projects that enable him to identify his own personal projects with those ethical ends (to see those general common projects as *his own* projects). The agent can be committed to a set of ends because they define *who* he is, and therefore in pursuing them be doing what he *wants* to do, and on reflection be capable of understanding those ends as justified – in short, be capable of understanding that not only it is what he *wants* to do, but that it is also *right* to do. *Self-reflection* thus plays an essential role in modern agency, which distinguishes it, for example, from the Greek form of life, where the pursuit of certain ends was combined with a naturalness about it that reflection could only undermine. Thus the ends of modern life must (1) be reflectively justifiable yet have a non-reflective subjective hold on the agents, (2) be internal to the history of modern agency such that they cannot be established outside of the free-standing social practices of modern life and have their intelligibility depend on how they are understood to have successfully made up for the insufficiencies of what historically preceded them, and (3) be such that they can be justified by the "absolute knowing," which is the result of the *Phenomenology of Spirit*.

These ends should, that is, combine the *subjectivity* of the agent – his basic desires, wants and ideals – with the *objectivity* of justification – with what counts as a justification in the social practice defined by those ends – and that objectivity should be generated by "absolute knowing." That is, the motivations of the agent – what actually impels him to act – should mesh with the justification for what he is doing, with whatever particular ends he is pursuing, and that justification should be reflectively available to the agent. Such ends would thereby enable freedom to be realized: Pursuing these ends would put agents in the position to understand what they are doing, why they are doing it, and to be able to rationally identify themselves with those actions.

2. Freedom and subjectivity in modern life

Modern life's self-understanding

Hegel's reflections on the structure of these ethical ends are found in that part of the system called "Objective Spirit" and expanded in his *Philosophy of*

Right, published in 1821. The issue concerns how in the “social space” of the modern world an agent is to understand himself. Hegel begins with a general reflection on the conception of modern agency per se. Each agent has a set of desires, wants, and so on, and each *thinks* of himself as free, self-determining. The most abstract way in which such an agent could think of himself without any further specification as this type of agent would therefore be simply as being *self-conscious* (that is, thinking of himself as an agent) but not as being conscious of himself as *positing* any of his ends as truly his own. Given such a self-conception, he would merely find whatever ends he was to pursue to be given to him by his various desires, inclinations, impulses. He would therefore be conscious of himself only as the entity to which experiences are ascribed, someone who, although determined in his choice of ends by which contingent desires he happens to have, is capable of stepping back and evaluating his experiences and thus *in his evaluation of them* is not determined by these desires and inclinations.⁵ However, if the agent’s self-conception were exhaustively described in this way, his ability to evaluate his ends would clearly not imply, at least in any straightforward sense, any determinate set of ends, any set of ends that would be derived simply from his own set of practical reasonings. His ends would be set externally by wants and desires, and he would only be free to evaluate them and to elect which of them will count for him as a determining motivation for action.

In order to conceive of himself as a self-determining agent, the agent must be able to integrate these given ends with his sense of himself as an independent, self-determining agent. If there is no natural hierarchy of ends – no hierarchy of ends that can be discovered, or can be taken as “given” – then the agent must construct his own hierarchy of ends. Faced with the “groundlessness” of any particular given hierarchy of ends, the agent must become *self-grounding* in determining which ends are to count for him. That is, he must be able to see the determinations of the will as coming from *his* will, not as coming from “nature” or from anything outside the will’s own determinations. The will must be seen as a mode of *practical reasoning*, as a way of drawing practical inferences about ends that eventuate in actions. Even if it were possible that an agent could fortuitously find himself with a fully coherent set of desires such that each desire did not conflict with other desires, he would still not find himself with any rational *system* of the *will’s* desires. The agent would merely find himself having these desires; he could not be said to have determined them. Whether those desires could still count for him as authoritative reasons could not be given by the set of desires themselves; the agent would still have to elect to count these and not those as sufficient motivations for action. Nor can the desires be seen as expressing the “essence” of the agent, for that would make the “essence” of the agent into something given, something that the agent merely finds and that therefore is not determined by the agent. Rather, the system of desires must be integrated into his *agency* and be understood as located within the agent’s self-identity, which is itself structured by the “social space” in which that agent lives. In order even to be able to choose between various alternative sets of desires, the agent must

have some self-determined ends in order to rank any of these systems of desires so that he may decide for which of them he will finally freely opt.

It might seem that *happiness* could serve as a given end in terms of which a natural hierarchy could be constructed in that one might be able to rank one's desires in terms of which ones would produce the most happiness. If happiness is the satisfaction of desire, then, so it would seem, one would need only to figure out which desires need to be satisfied. That issue, however, is not simple. People have a variety of different desires, and the agent will still need to have some way of ranking those desires so as to be able to resolve for himself *which* desires are to be satisfied. Moreover, the agent will not only find himself with a set of given desires for various kinds of states of affairs but also with a set of desires about which desires he should have (what we now call second-order desires) and whether therefore some of these second-order desires ought to be satisfied. The agent must therefore be able to rank his desires (including these second-order desires) as to which ones are worthy of satisfaction, and that ranking cannot itself be decided by appealing to the concept of happiness.⁶ The agent must therefore independently evaluate his desires. Even the most seemingly natural way of ranking desires – namely, by their given intensity – cannot suffice to give an agent a *system* of desires in this sense. Given the multiplicity of various contingent ends that can occur to any agent – eat this, eat that, don't eat at all, go for a walk, stay inside, read a book, and so on – there will always be incompatible but consistent orderings of equally intense desires. Which of these alternative orderings of desires is to be chosen could not be done by appealing to the concept of intensity per se. Indeed, the notion of the “intensity” of a desire is most often really a shorthand for the idea of a desire that is central to an agent's understanding of who they are. The agent must order these desires in terms of some conception of who he is – that is, in terms of which of his desires can be integrated into his self-conception.

The problem is even more complex for modern agents. Even *if* the agent could come up with some criterion (for example, utility) to rank the various ends that are simply given to him by desire, he could still not count this as *self-determination*, since the ends themselves would remain merely given to him by features that are external to his own determinings. In order for the ends set by these various desires to be genuinely his, they must be such that he can see them as *his own* – that is, as fitting into his conception of his self-identity, of *who* he is. To merely accept any given ends would be self-undermining for the agent himself, for it would conflict with his sense of himself as self-determining and independent.

It is therefore necessary to begin with a conception of how a modern agent with this abstract picture of himself could arrive at the idea that he must order his desires and wants in terms of some prior self-conception. If the self-conception itself cannot be regarded as simply a “given,” as something that the agent himself must discover, then the agent must regard his *freedom* as prior even to that self-conception. For example, the agent may have a given self-conception from which certain second-order desires follow that them-

selves are incompatible with each other. The agent cannot appeal to his self-conception to answer that question. There consequently can be nothing “given” – even the agent’s own self-conception – that could underwrite the choice of which of these second-order desires is to be satisfied. The basis of ranking these desires must therefore be the agent’s *freedom* itself.

The determination of freedom as “rights”

In thinking of himself very generally as a subject of experiences and actions and determining what he will do with himself, a modern agent must therefore abstractly think of himself as self-determining. If there is no more specification to it than this, then he must think of himself as self-determining in the sense of seeing himself as an *agent* who is “doing what *he* wants.” In order to satisfy this self-conception as self-determining, each agent must assert against other agents the appropriateness of pursuing the satisfaction of his own desires. Each agent moves from an understanding of the appropriateness of “doing what he wants” to an understanding of its *rightness*. Thus, each agent must claim against others as a matter of *right* that he be allowed to “do what he wants.” The most abstract and immediate form of mutual recognition for such agents would therefore be as agents possessing certain *rights* to this kind of self-determination. These rights would not come from “nature” but from the way in which agents thinking of themselves as self-determining, desiring agents would be led to structure their self-conceptions and the kind of social practice that would sustain that self-conception. These agents thus construct a kind of normative “social space” in which the practice of making certain types of claims against each other is authorized. The issue for these agents is therefore how such a practice can be institutionalized and supported.

The most immediate institutional manner in which such agents can be seen as rights-bearers would be as *property owners* – that is, as existing in a system of social practice structured by the mutual recognition involved in understanding each other to have claims to the use or benefit of “things” (*Sache*) to do with as they please. The things themselves can offer no opposition to our determining them as property; as parts of nature, they are indifferent to whatever normative titles we bestow on them. The opposition or affirmation of such claims to things can only come from other agents themselves.

The institution of property is thus the minimal setup in which “things” – which are morally neutral – can be fitted into an *agent*’s plans and desires in the sense that they are not understood merely as means for the satisfaction of desire but are integrated into a complex of other conceptions with the idea of free agency at its core. To classify something as property is to presuppose that the agents already recognize each other as agents and see the things in each other’s possession as having what Hegel would call an idealized existence – that is, as being described in such a way so as to lead to a series of licensed inferences, such as, “if X is my property, then I may do such and such with it, and I may exclude others from doing certain kinds of things with it.” An apple to a hungry man is just a means to satisfy desire; to classify the apple as

property is to locate it – to *idealize* it in Hegel's terminology – within a certain "social space."⁷ In acquiring and transferring property, the agent comes to see his dealing with "things" as constitutive of his *agency*, not just as a feature of himself as a desiring organism. It becomes an affirmation of his independence from determining conditions outside those that he has chosen himself.

In this form of self-understanding – as juridical individuals possessing certain property rights – the agents think of themselves as bound together only by the abstract network of legalistic relations of property and contract, a network of relationships that is indifferent to their particularities and individual characters. There is a *mutual recognition* of each other as having a very general status and position, even though this form of recognition must ignore each other's particular features. Each comes to exist as a kind of "point" in this normative "social space"; outside of being located at these points in "social space," the individuals cannot exist as *these kinds* of agents at all.⁸ The agents come to think of each other as occupying *identical* positions in "social space;" their distinctions from each other are only those of time, place and particular desire. In taking and exchanging property, each agent is uncoerced by the other agent at least in principle. Each determines for himself what to trade, what to keep back, and so on.⁹

In thinking of themselves in this manner, these agents therefore acquire very general and abstract *ends* of action (acquiring property, exchanging it and rectifying unjust takings) without acquiring any particular set of *motives* that define who they are to be. That is, the *ends* (of being a property owner) are defining of their agency, but there are no particular *motives* that are defining for their agency. Their motives for acquiring or exchanging property are indifferent to their status as bearers of rights and as property owners. They can pursue the acquisition of property for a variety of motives: because of particular interests that they have, because they believe it is a duty to their families, because of greed, because of a sense of "gamesmanship," or whatever. The motives that attach to property rights may be various and are thus indifferent to the justifiability (that is, the rationality) of abstract rights. There may even be certain empirical motives, such as anxiety about one's livelihood or fear of others, that are usually conjoined with the desire for property. But these *motives*, however frequent their conjunction with these ends may be, are not authoritative for this type of agency. The *end* of being a property owner defines one's agency independently of whether one has any of these fears or worries. One can be a proper property-owner without having any of these motives.

Taken as a form of social practice divorced from any other social practice, "abstract right" has a number of difficulties associated with the fact that such a form of practice would render particular motives contingent upon a variety of factors. First, any necessity for our having a determinate *motive* to actually respect the rights of other persons is missing from the account of agency given in "abstract right." If these agents were to have *only* an understanding of themselves as being rights-bearers-as-property-owners, they would come

to find, as Hobbes well knew, that their own rights were subject to a kind of contingency outside the sphere of their self-determination. Others in the pursuit of their own desires may come to believe for a variety of reasons that they need your property. Why then should their recognition of you as a property owner give them any motive to postpone the satisfaction of their desire – whether the desire be simply for your property, or for the status and prestige that supposedly comes from owning the things that you have, or even for the status and prestige that could come from being a self-determining criminal whom others must, under threat of coercion, “respect”?

The structure and presumed objectivity of “abstract right” does not comport well with the contingency of motive that goes along with it. The agent who only thinks of himself as having abstract rights to pursue the objects of his desires will have difficulties reconciling the rights he claims with the contingent aspect of his motives – that is, reconciling the reasons he could give others as to why he should be allowed to pursue his desires with the reasons he could give others not to pursue their desires for his property. He finds himself asserting as a reason for his claim to a right to his property that he should be able to pursue his own desires because he takes himself to be independent, free of determination by an “other.” Yet those same reasons, which seem on the one hand to support claims to “abstract right,” also seem to support the claim that others may refuse to recognize his rights when it conflicts with their own pursuit of their desires and their independence. On the one hand, his freedom seems to consist of “doing what he wants” and having this affirmed by others as a right. Yet he finds that the motives associated with “doing what one wants” are not necessarily consistent with the status of the claims that he himself makes against others. Each makes claims of right against these others, yet each can find himself in the embarrassing situation of having no motive to respect others’ rights. The agent is, after all, a particular self-conscious organism with determinate desires and wants; in this type of situation he can find the rational side of his nature at odds with his more particular, desirous side. His status as a rational agent would thus be at odds with his status as a particular being. The problem of mutual recognition that was framed in the section of the *Phenomenology* on the master and slave – how it is possible for a person to have a self-understanding as an independent agent that is compatible with others having a self-understanding as independent and with a mutual recognition of each as independent – is thus not resolved by “abstract right.” The independence that one agent claims for himself – the right and appropriateness to pursue his own desires and to have his rights recognized by others – is not compatible with his recognizing others as equally independent and as in turn recognizing him as such.

Moreover, an understanding of ourselves merely as property owners does not have the necessary conceptual resources to make any distinction between negligence and intended wrongdoing, a distinction that is necessary to any coherent doctrine of individual rectification as distinct from just avenging one’s honor or the honor of one’s family. It cannot tell us the difference between criminal wrongdoing, mere negligence, and mere accidents. For

"Abstract Right" to count as a realization of freedom, it must therefore include some idea of personal responsibility within itself, which requires that it develop a conception of punishment as commensurate with the level of wrong-doing in wrongful action.

What is insufficient, therefore, *from the standpoint of the agents themselves* is that in considering themselves merely as participants in the "social space" of "abstract right," they cannot understand themselves to be fully self-determining. While each thinks of himself as an identical *person* (an entity to which experiences and actions are ascribed) who is free as a person from determination by an other, each finds that (1) his ends are simply *given* to him by his desires, and (2) the rights that he claims for himself against others depend on those others *actually recognizing* and respecting those rights. Although freedom at first seems to such an agent to be something "immediate," to consist only of "doing what he wants," what he wants must appear to his consciousness only as a *given*, as having no intrinsic connection to his agency, and what he claims as a right as something for which he is *dependent* on the recognition by others. His independence as a property-holder, therefore, is dependent on a variety of contingent factors, and, on its own, is not full independence at all.¹⁰

Persons and subjects

For such an agent to maintain his self-conception as a self-determining, independent agent, therefore, he needs to change or to augment his account of what is authoritative for him in order to be able to reassure himself that he is what he takes himself to be. In order to be fully self-determining, the agent must find some way to avoid having these ends simply given to him; rather, he must understand that some ends of action are to be set by himself such that they *count for him*, and that this being "set by him" would be a reason recognized by others as valid (that is, that others recognize him as having the right to set ends that they do not themselves necessarily recognize as valid). Only in that way can he integrate them into his conception of himself as a self-determining rational agent. But thinking of himself merely as a self-determining, rational agent will not be enough to do this. The agent of "abstract right" is only an entity to which actions and experiences are ascribed in terms of some normative "social space;" to be said to set *his own* ends, though, he must acquire a *self-identity* in terms of which some ends can be said to be *his own* in the sense of being more integral to that conception of self-identity than some other ends. The most immediate way of doing this would be to incorporate these ends into a conception of himself that he has himself determined. He must, that is, think of himself more determinately than as simply an independent person having certain rights and having certain desires. He may then reconcile or not reconcile his ends set by his various desires as to how well they fit into his conception of himself.¹¹

An end thus becomes *his own* end in that he *identifies* with it as something that expresses who he is and he endorses that as fitting his self-conception;

in Hegel's terms, it becomes an end that is brought into his own self-consciousness. It thereby becomes more than an end that he merely *finds* himself having; it is made into an end of his own by virtue of his subjectively identifying it as *his own* end. This conception of actively taking up an end as one's end by identifying with it does not entail, of course, that the agent actually have any specifically different ends than the ones he naturally has as a bearer of rights. It only entails that he incorporate them into some sense of who he is, such that in pursuing these ends he is pursuing an end with which he identifies. From this standpoint, what is essential to this self-understanding is therefore not the content that is willed but that it is willed as an end with which the agent identifies and endorses. An agent who thinks of himself *only* as a rights-bearer need not concern himself with whether his ends are his own; he need only concern himself with whether they express what he "wants to do." In thus identifying with and endorsing some ends and not others, the agent comes to see himself as an *autonomous* agent, at least in a thin sense.¹²

This conception of willing one's own ends, as Hegel introduces it, does not prescribe any particular ends to the agent; it only prescribes that whatever they might be, the ends should be *his own* ends. Those particular ends that he decides to pursue must be those that express his sense of who he is and that he reflectively endorses. The ends themselves may come from his upbringing, from natural desire, or from whimsy. They are his own ends, however, to the extent that he identifies with them and reflectively endorses them as fitting his conception of who he is. Hegel calls this the "right of particularity," the right of the agent not to have to endorse any end that he cannot understand as expressing his own subjectivity – that is, his sense of who he is. This "right of particularity" is not something that Hegel merely assumes as a kind of "moral fact" about agency that must be taken into account in any adequate moral theory (as if it were some kind of "datum" that Kant and others had somehow overlooked in constructing their own theories). Rather, he develops it out of the concept of self-determining agency itself. The first step in developing such a conception of agency is, as we have seen, to be found in a conception of "abstract rights" in which the agent is given some very general ends that partially define what it is to be a (modern) agent; an agent, however, who thinks of himself as self-determining will find this account of himself undermined in that he will be led to see himself as being subject to certain types of contingency that are incompatible with his claims to be self-determining. To maintain his claim to be self-determining, he must therefore develop a conception of himself as making his ends into *his own* ends by accepting only those ends that he can reflectively endorse as fitting his *self*-conception.

This conception of pursuing one's own ends may be recast as the right to pursue one's own welfare, to lead one's life in terms that one sets for oneself. Happiness depends on which desires an individual can find to be worthy of satisfying – that is, which desires fit the agent's self-conception. The so-called right to pursue one's own welfare is derivative from the idea that one has a

right (and it is appropriate) to seek to satisfy one's desires. To pursue one's own welfare acknowledges that prior to the conception of satisfying desire is the conception of the agent having a self-identity. If the ends that one pursues, therefore, are to count as genuinely one's own ends, one must be able to define who one is, how one is to lead one's life. The demands of "abstract right" put negative limits on what an individual may do and give the agent very general and abstract ends to pursue. The idea of forming oneself into an autonomous agent – an agent who reflectively identifies with and endorses a set of ends as fitting his self-conception – involves pursuing not simply the generally countenanced ends of "abstract right" (such as being a property owner) but one's own particular ends, such as reading novels instead of philosophy books, or learning Latin but not Greek, or becoming a plumber instead of an electrician. Modern agents come to an abstract sense of this self-determination in "Abstract Right" and this sense is further supplemented in "Morality." The right to pursue one's own welfare is thus not derived from any general principle or "given" fact about agency. It is a claim that agents will necessarily make against other agents in modern social life. To claim the rightness of one's attempt to become autonomous – to accept only those ends that one can reflectively endorse as one's own ends – forms the core idea of what Hegel calls "Morality."

In "Abstract Right," the agent's action is *his* in the formal sense of being attributed to him as an organism in space and time and being given a normative significance; in "Morality," the action becomes his *own* in the sense that he endorses the action as fitting in with his self-conception and thereby identifies himself with the action.¹³ In "Morality," Hegel says, we transform the conception of the (legally conceived) *person* of "Abstract Right" into the conception of the agent as a *subject*, as a reflective *self-ascribing* entity (that is, an entity who is conscious of his activity of taking himself to be doing or experiencing things).¹⁴ To use the metaphor of "social space": The "person" is the "point" in the normative "social space" to which these rights are ascribed (that is, within the system of "Abstract Right," it is said of the organism/person that it is both right and appropriate for him to pursue his desires); the *subject*, on the other hand, is the *self-reflective person*, that "point" in "social space" that comes to *take itself* as doing such and such, as experiencing such and such, and comes to take itself as the source of that which can legitimate his own actions as counting as exemplifications of doing the right thing. The subject is a self-conscious agent, determining for himself what is to count as his own ends in terms of his determination of who he is.

The person as a "point" in "social space" simply has certain rights and actions ascribed to him; he is simply the logical "location" or "site" of these rights and actions, the entity to which they are ascribed by virtue of the rules of the "social space" of which he is a member. For the person, therefore, what counts as *his* action is ascribed to him from an *impersonal* point of view (for example, by the legal rules of his society). For the subject, on the other hand, what counts as his action is ascribed to him by his own *personal* point of view, by what he *takes* himself to be doing.¹⁵ This, of course, makes a big differ-

ence as to how responsibility for action is to be assessed. The person of “Abstract Right” has certain responsibilities ascribed to him by virtue of his “social space” – that is, by virtue of which responsibilities the rules of that “social space” ascribe to him. That is purely contingent, since those rules will depend on a great variety of different factors, including that of how a particular, given “social space” treats problems of contingency itself. For example, many pre-modern societies assign responsibility for making good on damages to whomever performed the action that was causally responsible for the damage, irrespective of whether the consequences of the action were intended or even foreseeable. Thus, the agent can find himself responsible for providing a remedy for a damage that is only contingently related to what he was doing.

Responsibility

An agent who takes what he is doing not to be determined impersonally by the “social space” in which he finds himself but personally by himself must have some criteria for selecting what in his actions properly belong to him and what do not. That is, he needs an account of his actions as issuing from him that does not end up being reducible to an account of his having his actions impersonally ascribed to him as a person in “social space.”¹⁶ The most general way in which an agent can be said to be determining for himself what he is doing is to consider that his actions are component parts of his adopting certain plans or projects (*Vorsätze*) in terms of which he carries out his actions. Plans, of course, are necessarily indeterminate and open; I may plan to go to the museum tomorrow in order to increase my knowledge of contemporary art, but that does not specify a particular time at which I shall go, which art I shall see, or whether I shall focus on the paintings and ignore the sculpture. If I adopt a plan, I then engage in certain actions that count as carrying out the plan, and the actions are mine precisely because they are parts of *my* plan. But in carrying out the plan, I act, and any action produces consequences. The issue therefore is whether and to what extent the consequences of my action can be said to be part of my plan. For which consequences am I therefore responsible? On the one hand, it seems correct that the consequences of the action would be imputable to me only if they are part of *my* plan – that is, if the production of these consequences are part of my plan (for example, I might plan to clear some land in order to grow vegetables, planning as a result of this to create more sunlit space). There can of course be consequences of my actions that are not included my plan: for example, in clearing the land, I might create drainage problems for myself and others. Moreover, others who are affected by these consequences may attribute them to my plan even if I myself did not actually include them in my plan. There is therefore a contradiction between my conception of myself as determining what I *do* according to a plan and what others *impute to me* as following from my plan. I find what I *do* therefore being determined by things other than my agency, by what accidentally happens as a result of my carrying out my plans and what others impute to my plans as a result of what I do. To the extent

that we account for this autonomy only in terms of a conception of "setting our own plans," there is still an element of external contingency (of the contingency of circumstances and the contingency of what others impute to my plans) that this account is supposed to disallow. By this account of agency, I am responsible for what I *do*, and what I do is a function of what *my* plans are; however, what is part of my plan is, by this account, not entirely up to me but can be influenced by all sorts of external contingencies.

To be fully self-determining, I must therefore see my actions as determined not only by a general plan (*Vorsatz*) but by a more specific intention (*Absicht*) – that is, by what I concretely will to do. Those consequences are to be included in my action that I specifically intend or that can be *reasonably foreseen* by me. The passage from a conception of myself as a planning agent to that of an intending agent makes the agent's own particular point of view on what he is doing more central to the nature of the action.¹⁷ An agent who conceives of himself in this way has a richer conception of himself as a self-determining agent. His particular intentions count as determining what it is that he is doing. Following out what his own intentions dictate and being *morally* responsible only for what he intends – to be kept distinct from being *legally* responsible – he is more nearly autonomous, exhibiting what Hegel calls "subjective freedom."

Hegel's discussion of "subjective freedom" is meant to contrast the modern account of action and responsibility from (what he takes to be) the ancient account of action and responsibility. The ancients, in Hegel's eyes, took the agent to be responsible for all the consequences of his actions independently of whether the agent had intended those consequences.¹⁸ Hegel explains this difference between ourselves and the ancients in terms of the ancients not having an account of agency in terms of self-determining subjectivity – a lack reflected in their tragedies – and the moderns having such a conception of self-determining agency as an essential component of their accounts of action and responsibility.¹⁹

Both the ancient and the modern accounts have to do with the status of agency in a world of contingency. The ancients make the agent responsible for the contingent *consequences* of his actions; the moderns make the agent responsible for what he contingently happens to *will*. Thus, by the modern account, the individual agent may not be morally responsible for unforeseeable consequences of his actions, whereas the ancients held the individual to be ethically responsible for exactly those things. However, the modern form of life parcels out responsibility for these contingencies to other social institutions. What makes the modern account possible, therefore, are the complex modern institutions that parcel out the responsibility for remedying damages that result from such contingencies (for example, the pooling of risk in insurance schemes, such as the "widows and orphans fund" to which Hegel was a contributor in Berlin). Because contingencies can be socially handled in these kinds of ways, it is possible for the moderns to restrict individual responsibility for the contingency of circumstances in a way that allows the modern account to remain consistent with itself. The ancients, on the other

hand, did not have the kind of institutional support that would have made possible for them something like the modern account.

However, the modern account leads to certain paradoxes within itself of what is an authoritative reason for action. On the one hand, the consequences of actions belong to the action itself; they are not simply external trappings to the action. Yet the modern individual is said to be morally responsible only for what he wills, and some consequences will clearly fall outside of his intentions such that he cannot be said to have subjectively *willed* them. Yet for many moderns, it will seem nonetheless that he should be morally responsible for those actions, thus contradicting the account they give of his moral responsibility.²⁰ Hegel explains the paradoxes of modern accounts of authoritative reasons for action as arising out of a person's seeing willings and consequences (more generally, actions and deeds) as having nothing to do with each other in the determination of moral responsibility. The paradoxes of "consequentialist" versus non-consequentialist accounts arise out of this; the paradoxes arise by taking one of the two elements (willings and consequences) as *the* determining feature of the moral quality of an action and taking the other to be only incidental.²¹ On the one hand, there is a consequentialist principle that counsels us to judge actions solely in terms of the goodness of the consequences of the actions; on the other hand, there is a non-consequentialist principle, which counsels us to judge the goodness of actions by criteria that are independent of the consequences (or, more weakly, to judge the actions in terms of something other than the consequences alone). The plausibility of each principle arises out of the implausibility of the other. The non-consequentialist seems to counsel a person to do something even though it brings about catastrophically bad consequences, and the non-consequentialist seems to counsel people to do evil things because in some convoluted way they produce a much greater good. The plausibility of each of these principles, however, arises out of fixating on either the aspect of the "willing" or the aspect of the "consequences" in an agent's action to determine how we are to judge the rightness of her actions, holding that element fast, and then using that fixed element to determine the rightness of the action. One element is held fixed, and the others are varied in hypothetical accounts of what makes an action right. Thus, the consequentialist holds that the goodness of the consequences may be held fixed in determining what the right act is, and the willings of the agent may therefore vary while the goodness of the action stays the same, whereas the non-consequentialist holds that the willing activity itself may be held fixed in determining what the right action is and the moral worth of the action may remain the same even though its consequences may vary. The so-called paradoxes that are generated out of this have to do with consequentialists having to hold that something is right because it produces good consequences but that is wrong because it seems to violate some ethical norm accepted on other equally good grounds; and with the non-consequentialists holding that something is right that produces such bad consequences that no ethical individual could be said to countenance such a thing.

The paradoxes are avoided, Hegel thinks, if one understands both elements – that of the agent's intentions (his willings) and the consequences – to be component parts of the overall moral judgment to be made about the action and the moral status of the agent. Hegel therefore holds that an agent must be (in his sense) *morally* responsible for the consequences of our actions, even when he does not explicitly *plan* or *intend* those consequences; and that his *moral status* (our judgments about whether the agent is a good or bad person) nonetheless cannot be a function *only* of those consequences but also of what the agent intends. Both the agent's intentions and the consequences of actions therefore must be kept in mind in giving a moral assessment of the agent, and Hegel thinks that in such cases, there can be only general guidelines and no fixed, rigid rules for doing so; it is a matter for continuous reflective deliberation, and the idea that one might have a rule that would overcome this dilemma is a chimera.²² (It should be kept in mind that a central feature of Hegel's theory is his claim that in any event these paradoxes cannot be fully resolved in "Morality" and therefore also require an account of *Sittlichkeit*.) For the ancients, the agent was fully responsible for the consequences of the action, even if he had not willed them; for the moderns, the agent is partially responsible for those actions, such that at least some feeling of regret or some responsibility for atonement is still present even when the consequences were not explicitly willed by the agent.²³ Accordingly, the modern account should not be taken as simply the contrary of the ancient account, as if Hegel were saying that the ancients were "consequentialists" whereas the moderns are "non-consequentialists." It would be false, so Hegel thinks, to claim that the ancients *only* looked at the consequences, and it would be equally false to say that the moderns should *only* look at what is intended. Rather, the modern account must be seen as *adding* an element to the ancient account, which, of course, on its own terms the ancient account could neither develop nor accept, and that requires therefore something like the very different modern account of agency. That extra added element in the modern account is the idea that one can be morally obligated only to those principles to which one can self-consciously acknowledge obligation.

Fixing the issue of responsibility and moral deliberation in this way, however, does not specify what ends these agents should pursue, since the idea that the agent should pursue only those ends which are "his own" gives him no material criterion for deciding which ends he ought to pursue. Given an account of self-determining agency that operates only with the terms introduced thus far ("abstract right" and the idea of responsibility for action being partially determined by intentions), it would seem that the agent must simply take up whatever contingent ends he happens to have and test them to see whether they could be made his own.²⁴ As pursuing and bringing about *his own* ends, the agent achieves a sense of *satisfaction*, of self-assurance, in finding his self-conception authenticated in his actions.²⁵ (Thus, as Hegel notes, satisfaction can come both from honor and recognition and in relations

of love, acts of conscience, and so on.²⁶) The satisfaction that an individual achieves is related to his happiness. Happiness is the satisfaction of desire, but, as we have seen, which desires are to be satisfied must be determined by an ordering of desire in terms of how each fits an agent's self-conception (what Hegel calls their becoming part of the *system* of desires). The agent experiences *happiness* when he fulfills those desires that fit his self-conception; he experiences *satisfaction* in having that self-conception affirmed. The well-being (*Wohl*) of an individual consists of his happiness and his satisfaction. Well-being, therefore, consists not just in the simple satisfaction of desire, but in satisfaction and happiness; well-being therefore extends over an individual's life and is not a moment by moment affair.

Hegel uses these distinctions to link the "right" (taken as a principle of justified action) with the "good" (taken as a doctrine of what states of affairs are desirable or worthy), and he links both to "morality" in the following way.²⁷ The *right* thing for a "moral subject" to do would be to respect the claims of "Abstract Right" in a way that involves that subject's setting those ends for himself. The subject thus wills his own ends under the proviso that he not violate anyone's rights in doing so. In willing from his personal point of view, however, the subject wills his own *satisfaction*: his affirmation of his own self-conception. In willing his own satisfaction, the subject must have some criterion for selecting among the various possible objects of willing (or, put more loosely, to elect what he *will* do among all the things that he *might* do). Without any further account of what counts for him as an authoritative reason for action other than that bound up with being a "person" and a "subject," the criterion for such selection must be that of *well-being* – that is, of electing to do that which affirms his self-conception and leads to happiness.²⁸ The subject thus has a universal principle on which he can act: A moral subject should freely will the pursuit of his own well-being (the "good") while at the same time respecting the claims of "Abstract Right." As having a universal principle (something that counts for him from an impersonal point of view, as *right*), the subject should thereby be able to reflectively integrate his personal and his impersonal points of view. Each subject is thus to pursue his own welfare while respecting the claims of "Abstract Right." The principles of right action, as defined by "Abstract Right," would therefore put strict limits on what the subject may do in the pursuit of his good.²⁹ What *cannot* be settled by this principle, however, is how one is to adjudicate clashes between different subjects. It is, after all, a purely contingent affair if one's own well-being coincides with others, and this principle only counsels one to pursue the well-being of oneself and the well-being of others to the extent that their well-being contributes to one's well-being.³⁰ Moreover, since one's achieving a certain well-being is contingent on a variety of circumstances, and particularly on others' having projects that support one's own, one may find one's own well-being at the mercy of the plans, projects and decisions by others. (If one likes to discuss mythology but can find no books on the subject or conversation partners, then one's own happiness will be limited.) None-

theless, this principle expresses the moral subject's conception of himself as an agent having certain very general (abstract) rights and as being an autonomous agent (freely willing his own ends).

Both the practices and institutions of "Abstract Right" and "Morality" are justified as specifications of the general norm of "freedom" – that is, as necessary developments of the way in which it is possible for agents to affirm their self-understanding as self-determining agents. Thinking of themselves in terms of being autonomous therefore is for them as much a matter of *right* as are the claims concerning property, contract, and the rectification of injustice in "Abstract Right." Without the *right* to do only that about which he can satisfy himself that it is *indeed* the right thing for him to do, for which he takes responsibility, the agent could not think of himself as a "subject." As a moral agent, the "subject" must *take* himself to have a right to be autonomous in his choices, even when those choices have nothing to do with morality itself. The idea of autonomous choice, considered merely on its own, is not exclusively a moral matter; there are many issues having to do with the autonomy of the individual that have nothing to do with anything connected with "morality." For example, a person might ask himself if his tastes are really "his own"; this is hardly a moral question, but it is a question of whether he is autonomous.

The "moral standpoint"

The necessary collision between the objective demands of "Abstract Right" and the claims of autonomous agency (or what Hegel calls the "rights of particularity") gives rise to the specifically modern *moral* standpoint, which emerges when the *objective* claims of abstract right, which put constraints on people's actions, are combined with the *subjective* demands of modern individuals to lead their own lives and to determine for themselves what counts as an authoritative reason for them to act. The individual's *right* to pursue his own ends – to do only for that for which he by his own lights can satisfy himself is valid – can clash with the *right* that others have in terms of "Abstract Right." The moral standpoint grows out of this clash of rights.

In both in the published text of the *Philosophy of Right* and in his lectures on the subject, Hegel displays the contradiction between the two requirements of autonomy and "Abstract Right" in terms of a collision between the claims of distress or emergency (in which there is a "moral right" to save oneself) and the claims of "Abstract Right."³¹ (In the *Philosophy of Right*, he offers the standard example of a starving person stealing bread in order to survive.³²) This shows, so he argues, that the claims of "Abstract Right" and of autonomy are at least potentially at odds with each other, and, within the terms of an account whose components are only those of "abstract right" and "autonomy," it can only be a contingent matter if they are not. In order for the agent to maintain a conception of himself as a self-determining *rational* agent, he must therefore find some way of integrating these two accounts of his willing into his self-conception. This means that in order to be adequate,

such an account must be available to the agents themselves – that is, it must be an account that the agents themselves could endorse as fitting their own self-conceptions. (In the language of the *Phenomenology*, the resolution must be “for them” and not merely “for us.”) Such a conception, so Hegel argues, is the account of the modern moral standpoint as involving an essential appeal to personal conscience.³³

It is one of Hegel’s original and controversial theses that this capacity to be a moral agent is historically recent and depends on the development of the modern community for it to be possible. Hegel continually argued in his career that the Greek form of life did not have this type of agency within it because it had no place in its account of itself for the idea of a self-determining subject.³⁴ Nor are the collisions to which this necessarily leads, Hegel argues, avoidable in modern moral life. It is a necessary feature of the form of life allied with this conception that one person’s pursuit of his own ends can be at the expense of another’s “abstract rights.”

The account of ourselves as both “persons” and “subjects” is therefore unstable in that the demands of “persons” and “subjects” conflict with each other. This instability threatens to undermine modern life’s claim to being a realization of freedom: If an agent is free only if he is in a position to be acting in such a way that he can know what he is doing, why he is doing it, and can identify himself with that action, then where necessarily there are these kind of conflicting demands, there will also be the inability to satisfy all three of these conditions. Modern agents therefore *require* some integrating account of themselves as “persons” and as “subjects.” One of the major issues for modern life is precisely whether these features of life could be integrated in terms of an enriched *moral* standpoint itself, or whether the modern moral standpoint requires something beyond itself to make itself satisfactory. The conservatives of Hegel’s day, of course, held that modern morality required replacement by some older scheme of religious ethics, or at least required some kind of supplementation by an ethical doctrine that did not rely on the idea of self-determination. Hegel certainly rejected the claims of those like Jacobi that we needed some kind of non-rational intuition of a religious “absolute” to provide a satisfactory account of moral life; his argument against those conservative critics is that the kinds of integrating attempts found, for example, in Kantian ethics point in the direction of how modern “morality” requires not some throwback to a pre-modern scheme but requires instead a specifically modern form of *Sittlichkeit* for its completion. Hegel calls this supposedly integrating *moral* standpoint that of the moral *good*, the standard by which both moral rightness and the quasi-legal rightness of “abstract right” are to be measured. It is a major part of his thesis that this supposedly integrating conception of the moral good is nonetheless necessarily empty, and that this emptiness of the moral good requires a supplementation through a doctrine of modern ethical life, *Sittlichkeit*.

The moral good must include the objectivity of the claims of “Abstract Right,” and it must be autonomously willed by the subject. This gives the concept of the moral good the following contours. First, as a *good*, it is

motivating for the subject; it is the kind of end whose recognition motivates the person to try to achieve it. The moral good is, however, different from the particular good of any person (what constitutes any particular person's well-being) in that it also must function, second, vis-à-vis any particular good as a principle of *right*: It must put restraints on what can count as a valid pursuit of one's own good. However, the moral good cannot be equivalent to "the right" in general because that it is that *end* in terms of which right action is to be determined: it is supposedly in willing that end that one does the right thing (not, it should be mentioned, in willing to maximize that end).³⁵ The moral good is thus that which is completely authoritative for – which is the "essence" of – all individual acts of will, the end that constrains all other particular ends that may be willed and that itself is sufficiently motivating so that the subject does not have to will it as a means to anything else but can will it simply for its own sake.³⁶ Moreover, for the authoritativeness of the moral good to be consistent with the self-conception of an autonomous "moral subject," the subject must be able autonomously to satisfy himself that this is a legitimate end of action (that is, that he be able to reflectively endorse it himself) and not merely accept it out of habit or upbringing. (It is not good because he endorses it, but it cannot count as an end of his action unless he is capable of endorsing it.)³⁷ As authoritative for the subject, the moral good therefore prescribes to the subject both a set of duties and the motivations to fulfill those duties. However, the conception of the moral good must be fleshed out and given more substance for it to do play this role in modern life. Merely calling it the integration of "Abstract Right" and autonomy only sets the problem; it does not resolve it.

This way of setting the problem, of course, is familiar to any student of Kantian ethics, and Hegel's argument about how the moral good would develop out of the kinds of considerations having to do with abstract right and autonomy quite obviously makes reference to Kantian ethical theory.³⁸ It would be a mistake, though, to see Hegel as offering any kind of detailed commentary on Kantian ethics in the sections where he deals with "good and conscience." Instead, he is reconstructing what kinds of considerations would have to count for modern agents in order for anything like Kantian ethics to come to be a suitable option for them, to come to have a place on their "conceptual menu"; and he is reconstructing what must follow from such a conception of agency, independently of all the Kantian textual twists and turns. Hegel's argument is that Kantian ethics can appear on the scene only when the claims of "Abstract Right" and autonomy have made their *social* appearance. The kinds of considerations that characterize the Kantian search for what will count as the unconditional good are possible only within the social structure of a certain form of modern life. Kantian ethics, so Hegel argues, must be understood as an attempt to make good on the conflicting claims of modern morality: the apparent necessity for a conception of a groundless, autonomous subject and the objectivity of modern conceptions of rights and the social institutions that sustain them.

Hegel's general claim against Kantian ethics is that because Kant's concep-

tion of the categorical imperative is necessarily empty, Kantian ethics collapses into little more than a kind of rhetorical and high-flown doctrine of duty for duty's sake.³⁹ This is a charge that Kantians have always denied, holding that Hegel simply misunderstood certain key elements of the Kantian theory, and to some extent every fair minded reader must agree that there is some truth to the charge. Hegel often says, for example, that Kant's conception of the categorical imperative is simply that of a maxim of action that is not self-contradictory, which if it were true would certainly make Hegel's criticism applicable. But Kantians have almost universally rejected that conception of the categorical imperative with a good basis in Kant's texts for doing so.⁴⁰

But it is striking that Hegel never goes deeply into the Kantian texts themselves. This is no doubt partly true to historical reasons. Hegel goes no more deeply into Kant's texts than Kant went into Leibniz's texts; each took himself to be rejecting a certain very general position, and to both it seemed no doubt pedantic to attach themselves tightly to the texts, especially since there were so many other Kantians and Fichteans around in Hegel's day who, had he based his criticisms solely on the Kantian texts themselves, would have used that to claim that *their* statement of the problem was unaffected by Hegel's criticism. So Hegel wished to criticize the Kantian position in general as a *type* of position, and his criticisms should be taken with that aim in mind.

Hegel wishes to show that one cannot integrate the objectivity of the kinds of claims of "Abstract Right" with the demands of autonomy from within a *moral* theory itself – that is, an account of the moral good as being authoritative for us only in terms of our acknowledging it for ourselves. He rejects all forms of theories of the right and the good that are *exclusively* moral theories, with Kant's theory being only a subset of those. An exclusively moral theory holds that the determinations of the right and the good follow from what it means for agents to reflectively submit to the moral law as individual agents, and it uses the conception of an individual agent willing the right and/or the good as the basis for determining what the moral law is. Against this, Hegel wishes to claim that the moral ability to submit ourselves to the moral law is itself the result of a particular historical development and thus presupposes rather than establishes an ethical community (a form of *Sittlichkeit*). It is in the socialization processes of an ethical community that we learn to treat each other in ways that count, for example, as "respecting freedom," and since individual acts of will presuppose the existence of that community, they cannot establish it. The authoritativeness of "morality" (in this restricted sense) has to do with how and whether it necessarily realizes the general norm of freedom – that is, if it can be shown to give agents *ends* such that in acting on those ends those agents will know what they are doing, why they are doing it, and will be able to identify themselves with that action. An exclusively moral theory proposes that these "genuine" objects of the will – the objects with which we can identify and about which we can satisfy ourselves as to their rational legitimacy – can be derived in some sense from a conception of the free will itself.

More loosely put: From the moral point of view, we look at what we are doing in terms of whether we are freely submitting ourselves to some moral law, and an exclusively moral theory sees the moral law as following from some idea of what an individual agent would freely elect to will or could dispassionately discern to do. The dialectic of any exclusively moral theory thus must eventually push it to a conception of a pure act of willing by an individual agent (or to some act of "insight" by an individual agent into the realm of goods and values). That is, from the exclusively moral point of view, moral agents must will the moral good as something that is impersonally right, and they must be somehow motivated to do this so that it counts as a free act on their part. To be a moral agent, therefore, the individual must find the moral good to be something that *motivates* him, it must become the *end* of his actions (that for the sake of which he acts), and he must be able to *satisfy* himself that what is required by the moral good is indeed absolutely authoritative for him (as Hegel puts it, that the good is good "in and for itself"). Now, if the agent were only to will as a *personally* autonomous agent (that is, will only that which he as an individual with his own set of tastes, inclinations, and values could endorse), then the agent would not be willing the *moral* good, since, if nothing else, he would be neglecting the impersonal demands of "Abstract Right." For the agent to will the moral good, therefore, he must will it from the impersonal, universal point of view. For a modern, exclusively moral agent, the impersonal point of view must necessarily be the point of view of a generalized rational agent. The moral good must be something that is impersonally good for the agent (good from the standpoint of all agents) and also personally good for him in order for it to motivate him, and it must be something with which he *as* a rational agent can identify. It is this set of requirements that requires the invention of the modern conception of *conscience*: the possibility of moral agency itself requires that there be some faculty that each agent possesses such that the particular agent can satisfy himself that he is willing the moral good. That is, for moral agency to be possible, there must be something like the appeal to conscience, taken as the "disposition (*Gesinnung*) to will what is good in and for itself."⁴¹ Any moral standpoint will therefore come to something like this conclusion: the moral good is that which a particular agent can will from an impersonal point of view (find to be right in his conscience), find motivating for himself (have his particular conscience be motivationally efficacious), and about which he can satisfy *himself* (in his conscience) that it is valid (universal) for all such agents.

The great strain in any exclusively moral theory appears in its account of the relation between the individual agent's willing and the moral good itself. If the moral good is taken as being some kind of entity (for example, as being a set of existent "values"), then the relation of the agent to the moral good will be that of a perceiver who simply "intuits" the good, and it will be impossible to explain how that good can have motivating force for him. Or, insofar as it is the *will* of the agent that is crucial, it will be impossible to give an adequate characterization of the relation of the moral will to the *individual* agent's will

that can maintain the requisite impersonal distance and still be motivating. Indeed, the great strain in any exclusively moral theory has to do with (1) its necessarily conceiving the agent's willing as being prior to any determinate end, and (2) with the relation between the individual's will and the universal will (since as an exclusively moral theory, it must claim that the validity of the agent's willing has to be universal). Inevitably, an exclusively moral theory will have to explain how the moral order can be generated out of individual acts of autonomous willing.⁴² However, from the idea of rational agency in general – from the very general idea of simply assuming a position in “social space” – one can derive no determinate ends at all, and one cannot explain how such general conceptions can be motivating for particular agents.⁴³

Any exclusively moral theory thus will be burdened with the following dilemmas. The moral good will remain a hopelessly abstract and empty conception unless it is replaced by some kind of idea of a set of “values” that would then be “intuited” by the agent; but this presupposes a completely implausible theory of knowledge, and it will fail to explain how such agents could then be motivated to act on the basis of this “intuition.” If an exclusively moral theory eschews intuitionism, and is more consistent with its own claims, then it will claim that the moral good is something impersonally willed by the agent and has validity only in being so willed. But the idea of a universally binding moral good on our wills is empty and must remain so, because nothing can follow from simply the idea of a “rational agent in general” or from the idea of an “agent willing universally valid norms.” An exclusively moral theory can mitigate this charge by bringing in other considerations, and it can claim a certain amount of plausibility for itself if these other things are themselves relatively non-controversial. But this gain in intuitive plausibility undoes the claims of an exclusively moral theory to be exclusively *moral* (in this restricted sense of “moral”); it must then hold that there are other considerations than those willed by the agents themselves that put constraints on what the agent wills. In other words, it must hold that there are things that transcend the moral point of view in general, without which the moral point of view can itself have no authority. It thus cannot count as a realization of freedom, and it thus cannot count as an adequate theory for modern “subjects.”

Finally, if the *individual* is taken as authoritative in the moral life, if what counts as right depends on the individual's *taking it as right*, and if the “moral good” as conceived from the exclusively moral standpoint really is empty, then from the social point of view, the possibility for evil masquerading as morality are great. Enormous crimes have been committed by people who took themselves to be “above it all,” to be “setting their own standards.”⁴⁴ The appeal to individual conscience always threatens to degenerate into a hypocritical stance or into a self-righteous self-satisfaction, a society ultimately composed of people striking moral poses, dissembling, accusing each other of hypocrisy, all the while paying lip service to traditionally authoritative principles while mocking them. Hegel's point is that an exclusively moral standpoint has no resources within itself to inhibit this.⁴⁵ Only a socially supported

system of ethical life, some sense of "the way we do things" that puts some things as out of bounds, as being right or wrong, can do this.

A symptom of this, so Hegel argues is the popularity in his day of the specifically modern ironic attitude, which he distinguishes from the ancient sense of irony.⁴⁶ The ironic attitude consists in seeing the lack of truth or the lack of justification of otherwise accepted claims and at the same time seeing oneself as somehow being "above it all." It consists in accepting a claim, while at the same time seeing that one's acceptance is without foundation.⁴⁷ This kind of ironic attitude is of course natural to any view that sees individuals as solely authoritative for moral questions. On the one hand, there will be the various accepted claims of moral and ethical life at work in one's community; on the other hand, since the agent himself understands that only he can authorize such claims as valid for himself, he sees that the otherwise binding quality of these claims lies solely in there being bonds on him that he can untie at any time. To the extent that the agent continues to accept these claims, he can only do so with a sense of detachment, that is, with a sense of irony. Indeed, the prevalence of an ironic detachment from all things is a symptom usually that a form of life is losing its internal justification.⁴⁸

3. Modern ethical life

Ethical ends

The exclusively moral standpoint frames the problem of modern life in terms of how we combine a view of ourselves as self-determining agents (with its pull towards relativism) with a view of morality as objective; however, the *exclusively* moral standpoint fails to resolve that problem on its own. Or to put it slightly looser terms, modern life is committed to a language of general rights (to life, liberty and property) and to a language of moral autonomy (to the idea that nothing can count for us as an obligation unless we can acknowledge it to be such), and these two "languages" conflict with each other. The resolution of that problem lies in what Hegel calls ethical life, *Sittlichkeit*, a specifically modern sense of "the way things are done." "Morality" is the result of integrating the claims of modern autonomous agency with those of the claims of the objectively founded rights of modern free agents, and "ethical life" is the result of integrating further the claims of morality itself with those of objective right, of fleshing out the conception of the moral good. The social practices and institutions of "ethical life" are thus necessary for the realization of freedom, for agents to be able to know what they are doing, why they are doing it and to be able to rationally identify with the activities involved in those practices. Or, to put it differently, the insufficiencies of the very *individualistic* standpoint of "morality" are resolved only within the very *social* standpoint of ethical life and the common projects that it provides for its participants.

"Ethical life" thus makes good on the claims of "morality" and completes the otherwise unfinished project outlined in the description of the modern

moral community in the *Phenomenology*. Hegel came to believe that in the wake of the French Revolution and the development of the “moral world-view,” modern life had (for contingent reasons) developed a set of basic social institutions that created the possibility for a renewal of *Sittlichkeit* (of acting according to norms that are experienced simply as “the way things are done,” that specify a “common life,” which count as *authoritative* for modern individuals) which would not only be compatible with the reflective, self-distancing practices of modern life but would make those practices themselves possible as a rational form of self-consciousness. For the individuals brought up within these basic social institutions, they generate not only a determinate set of desires and needs, but also a sense of what is and is not really possible in their own lives, and in leading their lives in terms of the desires, hopes and expectations engendered by these institutions, individuals develop a concrete sense of what they are to do in terms of “the way things are done.” Hegel’s thesis is that the various modern understandings of “the way things are done” that are generated by these modern institutions – specifically, the institutions of the modern companionate family, the modern market society and the modern constitutional state – can be shown to provide a form of rational self-consciousness that satisfactorily resolves the apparent contradictions between the claims of “abstract right” and “morality.”

Part of what distinguishes this modern type of *ethical life* from *morality* is that ethical life presents the agent with certain determinate ends that a self-determining agent is required to will in order to affirm for himself that he is indeed a self-determining agent, and toward which that agent is required to have certain types of motives. These determinate ends count as genuine *ethical ends*, as signifying a set of authoritative, common projects for participants in a form of *Sittlichkeit*, ethical life. By remaining only with the self-understanding present in “morality,” the agent can have no consistent self-understanding, since that understanding is caught in the contradiction between the objectivity of the rights he claims as a modern free individual and the subjectivity of the moral claims he makes as a modern autonomous individual. If ethical life is to fulfill its promise, it must resolve that contradiction. Moreover, the resolution cannot be “merely” philosophical but must be a resolution for the agents *from within their point of view*.⁴⁹ For this conception of ethical life to work, the agents must be able to affirm the ethical ends as adequately resolving this contradiction. (To use the language of the *Phenomenology of Spirit* again, the solution must be “for them,” not merely “for us.”) Finally, they must specify and inform activities with which the subject can identify himself, or, as Hegel puts it, *in which* he can find himself to be fully “present” – that is, activities in which the subject can find that his actions and desires, even his emotional life, accord with his sense of who he is. To be in such a position is to realize the norm of freedom: to be engaged in activities that are intentional (the agent must know what he is doing), reflective (he knows why he is doing it), and with which the agent rationally identifies himself. To the extent that the agent cannot rationally identify himself with achieving these ends, he will be alienated from them (they will

not be *his* ends), and they will not therefore be sufficiently motivating. If these modern ethical ends are to constitute a genuine form of *Sittlichkeit*, it must be case that the individual experiences them as both "the way things are done" and as being harmonious with his own sense of who he is such that he will not be alienated from the social life around him.

It is important to see what is being ruled out here. The Hegelian argument is not appealing – indeed, *cannot* appeal – to any conception of "human nature" or a "human essence" to make this point. It cannot be saying anything to the effect that "You will be happier (or more authentic or more in keeping with your "essential nature") if you do this, even if you cannot see it yourself." Instead it must appeal to the kind of self-consciousness and self-understanding that a modern agent – the member of a given historical community – must possess and what that form of life must do to make that self-consciousness intelligible to itself in its reflections on who it has come to be. The kind of solution that would resolve the problems of "morality" and "abstract right" must be such that it would match up motivations and ends so that the two are not indifferent to each other, such that the norms that are in force for the social practices and institutions can be sustained by the agents. For that to be possible, each determinate ethical end must be matched up with a determinate type of motivation, such that failure to have *that* motive would imply that one cannot be pursuing or achieving *that* end. In "Abstract Right" there is no particular motivation that must be connected with the ownership of property in order to make that determinate end valid. In "Morality" there are determinate motives that the agent must have (acting out of a sense of duty) but no determinate ends that follow from that. (Instead, "Morality" has only the indeterminate end of the moral good.) In ethical life, however, the agent has a set of determinate ends that are matched with a determinate set of motives that go with them. Ethical life, as Hegel puts it, has both an *objective* and a *subjective* side.⁵⁰

Ethical ends therefore must be such that a modern reflective individual (1) would *want* to pursue them; (2) would even see it as his *right* to pursue them, such that being forbidden to pursue them or somehow being prevented by social conditions would be considered to constitute a wrong against the individual; and (3) would at the same time see these ethical ends as the "right thing to do," as *duties*, as that which is *required* to be a participant in that form of life. They are both what he wants and what he feels incumbent on himself to do. These features constitute them as ethical ends of modern agency. Moreover, these ends must be consistent with the dictates of "Abstract Right" and "Morality" and must be seen to *complete* the dictates of "Abstract Right" and "Morality," in the sense that only in willing those ends can the agents be said to be genuinely free. They are not ends that are simply added on to the dictates of those two spheres, nor do they supplant the two spheres.⁵¹

As the ethical ends of modern agency, however, they are also ends that the agent understands to be consistent with his claims to self-determination. For them to function as such ends, therefore, they should not be understood by

the agent as anything imposed on him. This has been confusing to many of Hegel's readers: On the one hand, Hegel seems to be saying that these ethical ends should be self-determined, yet on the other hand, he seems to be saying that they are independent of any agent's will. How can they be both independent of us and at the same time be the result of our free self-determination? This has led any number of commentators on Hegel to suppose that Hegel must have some version of a "true self" theory of agency. That is, he must have held that we have a "false self" and a "true self," and that we are free only when we act in ways that the "true self" can affirm. Common to all "true self" theories is the idea that the individual may be mistaken about who his "true self" is. In these cases, it may therefore be necessary, to use Rousseau's well known phrase, to "force him to be free" by forcing him to do things which he does not *actually* want to do on the curious ground that he *really* – that is, his "true self" really – wants to do them. Thus, people have supposed that Hegel must hold some such view to the effect such ends express our "essence" and thus in acting in accord with our "essence" we are really acting not only freely but in a self-determining manner. Such a move, however, cannot be open to a Hegelian. The Hegelian argument aims at showing that these ethical ends can be both the result of self-determining action and be objective without making any appeal to anything "given" or immediate (which would include any theory of a given "human nature" or of a given "human essence").

One sense in which these ends may be said to be the result of self-determination is that the individual agent *wants* them; they are not, from the subjective point of view, merely ideals to be reached but are actually objects of desire which are practically achievable. The ethical ends can also be said to be consistent with the agent's autonomy to the extent that if an agent identifies with those ends, sees them as filling out and affirming his sense of who he is, then he makes those ends *his own*. Thus, in this sense, the ends can be seen as consistent with the agent's autonomy even if they are presented to him from the outside – that is, as "found" by him in his social environment. These ends are what makes possible his individual willings in the first place; they form the common projects of a form of life that make possible the individual projects of different agents. If the agent actually identifies with those ends, in the sense of making them his own, then the ethical ends meet the conditions of being consistent with autonomy, even though they are not themselves the result of self-determination.

But even this cannot be sufficient to make Hegel's point, since it might seem as if Hegel would then only be trading on an ambiguity between "is my own" and "is determined by me." For these ethical ends to be properly seen to be the result of self-determination, two conditions must therefore be met: (1) The ends must be shown to be derivable from reason, that is, they must be shown to be essential moments of the system of reasons that make up the "social space" that itself makes modern agency possible. (2) It must be shown that the modern agent sees himself as drawing these conclusions himself. That these ends form the system of practical reasons is the basis for Hegel's claiming them to be the system of determinations of ethical life derived *a*

priori from the "Idea" (that is, from "reason") itself.⁵² The system of ethical ends should form a kind of enclosed set of practical inferences, and the basic propositions about the various ethical ends should have the status in practice of unconditionally assertible truths, even though their assertibility actually comes from their place in the system of reasons. They cannot be merely generalizations from experience, nor can they be the results of some kind of intuition into essences. Instead, they must be a part of the system of reasons that make up the agent's "social space" in terms of the social institutions and practices of which he is a part, and they are to be justified in terms of making that system of reasons coherent with the overall norm of "freedom as self-determination."⁵³

In holding such a view, Hegel is ruling out a conception of these ethical ends as items that a rational agent could independently identify and then "decide" whether to adopt as his own, for the agent who identifies with these ethical ends cannot be an already fully formed agent with his own independently identifiable set of interests which would then enable him to make that kind of "decision." Rather, the agent is who he is only by *participating* in a form of life with its associated practices; the agent's "self" is not some fully formed, fixed entity that then "decides" whether these ends fit his already formed interests. Rather than being a kind of "fixed entity," the self arises out of a position in "social space," and its point of view is a way of projecting itself into the future, of assuming a practical standpoint that orients itself in the world. Ethical ends in turn manifest the kinds of projects that the "social space" of his practical world has for him and with which he identifies. The major question concerning such ethical ends thus concerns primarily their rationality – for example, whether they jointly support or undermine each other, and the way in which they combine the differing points of view, the personal and the impersonal, for the agent. The agent cannot thus independently "decide" to adopt or eschew these ethical ends by relying on some conception of rational choice as "maximizing" (or just satisfying) his "interests." Without these ethical ends, the agent *would have no* set of rational interests in the first place. Indeed, "rational choice" itself is possible only with a form of "social space," and as practical choice it presupposes some (however attenuated) form of "ethical life."

In "Abstract Right" the modern agent is to be shown to identify with certain claims about objectively established rights, so it is already shown that the agent as part of his self-identity incorporates the impersonal point of view. The modern agent, however, also incorporates the various demands of self-determining agency into his self-understanding. If they are to fulfill their role, the ethical ends must also reconcile the subjective and the objective points of view; they must provide the individual with a set of ends that seem objectively true, justifiable from an impersonal ("universal") point of view; and they must seem to him to be an essential part of his subjective life, to be a defining feature of his own agency. That is, they manifest common, social projects that the individual finds to be his own projects and to be rational (that is, they do not undermine themselves or each other and they fit the

accounts which that reflective form of life gives itself as to what is authoritative for it). If they do not fail on any of these counts, then the ethical ends can be seen to be the result of self-determination. They would be subjectively, personally self-determined in that the agent actually wants, actually wills them as his own projects. They would also be objectively (impersonally) determined in that the agent could see them as justified and even as incumbent on him.

In this way, genuine ethical ends would combine what we might call *formal autonomy* and *situated freedom*. The ethical ends would meet the criterion of "formal autonomy" that is appropriate to the level of "morality." Formal autonomy consists in making the ends *one's own* ends; formal autonomy is thus indifferent to the content of the ends which are made "one's own." "Situated freedom" is the pursuit of the *determinate* ends of ethical life in which they are experienced both as objects of desire and of duty – that is, as objects of the will with which we identify ourselves and that we recognize as having this status because of their rationality. "Situated freedom" thus completes in a way the originally Kantian idea that certain determinate ends follow from the idea of formal autonomy: They are ends that we determine for ourselves as the ends we will pursue and whose content is determined by us as rational beings. These ends may be seen as self-determined in that they are determined both by our impersonal rational nature and by our subjective ("wanting") nature.⁵⁴ They thus accomplish the *Phenomenology's* goal of uniting the Kantian and the romantic self-understandings, and they function as realizations of freedom, providing the will with objects which affirm for the agent his sense of who he is (with which he can identify).

However, such a conception of ends as reconciling the personal and the impersonal points of view might seem as just so much happy talk, a kind of papering over of the real conflicts and contentions in modern life in favor of a kind of unrealistically sanguine view of it. But Hegel is quite consciously not downplaying any of the real disputes in modern life. Especially in his lectures, he stressed the ongoing nature of the collisions of duty in modern life and the way in which modern life's languages of "abstract right" and the "morality of conscience" necessarily involve certain types of conflict that can only be reconciled within the institutional structures of ethical life. In his nice metaphor, Hegel claims of the modern agent that he is an "amphibious animal," who "has to live in two worlds which contradict one another."⁵⁵ Hegel thus makes no attempt in his writings or in his lectures to present modern life as free of conflict. (For example, he thinks that the problem of poverty in modern market societies is especially severe.) Nor is Hegel arguing for the smugly communitarian view that is often popularly attributed to him – namely, that in order to lead a satisfying life, an individual must simply live in conformity with the standards of his time. We often see that the standards of our own time are morally inferior, and Hegel is not endorsing any kind of claim that, for example, the American abolitionists would have been wrong to oppose slavery when slavery was widely socially accepted in the United States. The independent and critical moral standpoint does not vanish in

ethical life; only what Hegel calls "self-will" (*Eigenwilligkeit*), the idea that the individual subject alone is morally authoritative in his decisions as to what to do, vanishes.⁵⁶ As the *Phenomenology* has shown, ethical life can be justified only to the extent that it is a *rational realization* of freedom; it cannot be justified by an appeal simply to tradition or to "what we (the community) do."

This ethical life is deeply social; Hegel at one point refers to it as an "ethical common life (*sittliche Zusammenleben*)."⁵⁷ He also refers to it over and over again as a "liberation." The ends of ethical life are not merely ends that modern agents entertain or believe that they "ought" to be pursuing; they reach down into the structure of the agent's basic desires, and as part of "social space," they are moments of material rationality itself. Indeed, Hegel's point about the way in which "ethical life" supplements "morality" is not, as it has often been taken to be, that "reason" cannot deliver content for morality and thus requires supplementation by something else, such as an appeal to "tradition;" it is that *reason* itself is deeply *social*. In pursuing these ends, these agents are thus able both do what they *want*, and to see what they are doing as *justified*. Moreover, these ends are such that the agent cannot pursue them except in tandem with others, not because of any coordination problems or free-rider problems but because of more deeply held shared self-identities. The ends of ethical life – that is, if they are to be effective – cannot merely be ideals, things that we *ought* to be achieving but for various contingent reasons cannot or do not want to achieve. They must be expressive of the existent set of self-understandings present in the community, of the common and individual projects of constructing self-identity. They function thereby as basic roles into which an agent can step and in playing these roles acquire a kind of substantiality to his or her life that would not be possible otherwise. If they were not part of the mores of the existing form of life, they could not provide the tight link between the motives and ends that they are to provide. Moreover, they must be widely recognized and shared. That is, it must be the case that an individual in acting on the basis of these three basic ethical ends will come to have an understanding of who she is that will be affirmed in structures of mutual recognition by all those around her, and thus will come to understand herself as a rational agent. There will be no gap, that is, between what the individual *thinks* she is doing (who she thinks she is) and what she *really* is doing (who she really is).

As Hegel argued in the *Phenomenology of Spirit*, a system based purely on "morality" cannot do this; the kinds of affirmations required of people who take themselves to be acting simply on the basis of their conscience turns into a community based on dissemblance and hypocrisy. Those things are matters of conscience that can be recognized by others as "hard cases," areas of the moral life about which it is widely believed that reasonable people can differ. Conscience, that is, concerns all those areas of the moral life about which there can be no ethical *certainty*. Where a question is a moral question, and there can be no certainty, the modern world leaves it up to individuals to determine for themselves what it is that they are to do. If *everything*, though,

is a matter of conscience – if nothing, that is, *counts* as widely recognized, as morally certain – then absolutely everything will be up for grabs. In order for the freedom of the appeal to conscience to be possible, there need to be “safe areas” of social life in which certain types of things are off limits. Without such “safe areas,” the practice of appealing to conscience to settle issues would quickly degenerate into the practices of dissemblers and hypocrites. However, in modern ethical (*sittlich*) life in which people act on the basis of the ethical ends of modern family life, modern society, and the modern constitutional state – in which they are lovers, family members, job-holders, members of civic associations and good citizens – the structure of mutual affirmation of each others’ self-identities will be stable, free from contradiction, and in which a core of moral certainty will be established that is the precondition of a non-self-undermining practice of the appeal to personal conscience. The common ethical life is constituted out of this complex set of mutual recognitions that gives each individual, in Hegel’s nice metaphor, a “substantiality” to his life.⁵⁸

The connection between the “morality of conscience” and “ethical life” goes even deeper. The modern “moral” principle is that individuals are obligated only to those principles which they themselves can somehow acknowledge as binding.⁵⁹ (To put it another way, individuals are not obligated to follow ethical principles whose obligatoriness is a complete mystery to them.) This is specified more fully as the modern “right of conscience,” the right to be obligated only to those norms that one can affirm for oneself in one’s own conscience. The problem, however, with the “morality of conscience” is that it can provide no determinate content for that conscience. Moreover, since our consciences are in fact formed by our social environment (by our family, by what counts as acceptable behavior in our community and so on), the *formation of conscience* – or, in Hegel’s terms, its becoming more “determinate” – has obviously therefore to do with the manner in which the community itself takes shape in its various institutional structures. Conscience is, as it were, the voice of the community speaking authoritatively to individuals. It is therefore of crucial importance that the institutions and practices which actually shape the consciences of their members and participants be themselves justified. As we have seen, this poses a particular problem for Hegel, since on his account certain traditional ways of justifying such institutions have been ruled out for modern life. Evaluating the rightness of institutions by judging them in terms of some “transcendent” principle (such as the “natural law” or the “categorical imperative”) has to be rejected by virtue of such an account of justification having shown itself to be historically insufficient. For Hegel, therefore, the rightness of institutions must instead be demonstrated through the ways in which those institutions can be shown to provide a form of rational, non-alienated self-consciousness. That is, the “formation of conscience” which those institutions provide must be such that it permits the participants in that form of life to achieve a non-alienated self-understanding; and, in the conditions of modern life, these institutional structures must also be shown to be adequate realizations of freedom. Mod-

ern *Sittlichkeit*, the sense of “the way things are done,” must therefore be given an *institutional* shape that can sustain such a sense of “the way things are done” (that is, be authoritative for the participants in that form of life). In this way, Hegel sees ethical life (*Sittlichkeit*) as *completing* the modern moral project – not as *replacing* it – through its providing the shape and content for that conception of “conscience” to which the modern moral project had itself led.

The three basic roles of modern cooperative social life that fill out the system of ethical ends are constituted in our understanding ourselves to be: (1) members of modern families, (2) modern individuals, and (3) citizens. These three essential roles correspond to the three basic forms of social organization in modern life: the modern family, the modern market society, and the modern constitutional state, and they serve to justify those types of social organization as having an inherent rationality to them that depends neither on their being natural facts about the world, nor on ways in which human beings realize some “essence” that they have, nor on their being transcendental conditions of experience in general. They are the substantive, determinate ends that integrate the conceptions of “Abstract Right” and “Morality” into a coherent self-conception for modern agents. For contingent reasons the modern world has established a set of institutions that would enable these contradictions between objective rights and subjective autonomy to be mediated through a new form of *Sittlichkeit*, a communal sense of a set of practices that embody a shared understanding that “this is the way things are done” with which individuals nonetheless can identify (thus being free in their identification with the ends set by this sense of “the way things are done”). These institutions also serve *Bildung* functions (that is, functions of education, formation and cultivation of character). To put it in looser, non-Hegelian terms: The problem for modern agents is that they are supposed to be self-determining, to write their own “scripts,” but “abstract right” and “morality” give them no determinate guidelines for which “scripts” to write. The three aspects of *Sittlichkeit* – family, civil society, state – give these agents general “scripts” that provide them with roles to play, and with which they can as self-determining agents identify. They do this because these “scripts” are realizations of freedom, of “ethical ends” with which agents in the modern world for historical and systemic reasons necessarily identify, and which structure both their wills and their emotional lives. (These “ethical ends” as unities of duty, desire, and right provide unities of efficacious motive and evaluation: They are things that are both good in themselves and that structure the self-identities of the agents for whom they are ethical ends.)

It is clear that Hegel does not see these ethical ends as simply specifying three different roles, each supplying a type of good that then has to be balanced off against the others. If that were what he was arguing, then it would be enough simply to descriptively distinguish them from each other in terms of what kinds of goods are available in each and perhaps provide some intuitive criterion as to how to balance them.⁶⁰ Rather, each succeeding form of *Sittlichkeit* is supposed to make up for the insufficiencies in the way the

former functions as a realization of “freedom as self-determination.” Nor, if we take Hegel at his word, can it be that any of them are optional such that if one opted out of family life, civil society, or the state, one would be said only to be worse off in the sense that one would failed to obtain some particular good.

Modern men and women

The first of these three ends concerns the modern family formed out of the union of companionate marriage – that is, marriage based on love instead of clan connections. Unlike families in antiquity, the modern family based on companionate marriage is started by an act of free choice, even though the bonds that supposedly hold such families together are those of affection and shared self-identity. However, although the family is founded on an act of free choice, its other crucial moments are such that the concept of “free choice” does not apply to them. For example, the children do not enter the family as a result of any free choice on their own part, and it is also incorrect to say that they were coerced into coming into existence. The family is in fact the basic way in which “nature” becomes “spirit” – that is, in which human beings as natural organisms transform their natural features into bearers of symbolic significance. As organisms, human beings have sexual desires, and, whatever else is the case, it is almost certain that on the whole they will mate and reproduce. The issue, however, is not the naturalness of the desire but the way in which the desire is taken up and understood by the participants in the practice and integrated into a system of reasons that make up the practical “social space” of the agents. In particular, it is important to ask how these natural desires can become one’s own desires such that one is not alienated from them. If they are to become part of the structure of modern ethical ends, then they must be integrated into a system of desires that is consistent with both abstract right and the claims of autonomous agents. The modern family, Hegel argues, does just that: It takes a natural feature of human agents and integrates it into a sphere of reasons (into a “social space”), thereby giving individuals a *project* – a way of orienting themselves in the world and toward the future – in terms of which their otherwise natural desires can be integrated. By being based on free choice, moreover, the modern companionate marriage is consistent with the other demands of modern life that have to do with free choice. In integrating themselves into the structure of modern family life, individuals both find something that each *wants* – to get married to another person to whom each is romantically attached, to raise a family, and to have a secure self-identity as a member of a family – and that each finds is the *right* thing to do. The power of romantic love as an erotic enduring bond between oneself and another provides a powerful personal motive that sustains modern marriage. When linked to the duties that accompany the practice, it provides an enduring bond, and also appears to the individual as the *right* thing to do – namely, to fall in love, get married, and fulfill one’s duties as a spouse and father or mother. The bond

of romantic love thus partially realizes the ideal of independence: The lovers achieve their independence in the apparently paradoxical fashion of making themselves fully dependent on others in order to achieve their own independence, since one's independence can only be vouchsafed if others provide a *recognition* of one's independence, and romantic love provides the emotional recognition necessary for one to achieve one's own sense of being securely independent in the world.⁶¹ (A social order that does not provide the institutional support for such recognition cannot therefore achieve that ideal.) The dependencies of romantic love within the family consist in the emotional sustenance each provides the other, which empowers each to be independent, and in which each is fully *dependent* on that type of emotional recognition that each receives from the other. Likewise, the emotional recognition given the children in the well functioning family is a condition of their being able to develop themselves into independent people.

Family life based on companionate marriage is thus a fully fledged ethical end. Its romantic basis and its ideals of child rearing (along with its difference from the extended family of the clan) can, from the personal point of view, all be seen as moments of a whole, as parts of a consistent and coherent pattern of reasoning about one's life.⁶² Although the modern companionate family has a variety of historical causes and origins, not all of which are perhaps consistent with each other, its historical origins are irrelevant to its rationality – that is, to whether it provides a social and individual project that fits into the modern agent's conception of himself and herself as autonomous, moral beings and as possessing certain abstract rights; and with whether it coheres with the rest of the set of ethical ends of modern life – namely, being an individual in modern bourgeois society and being a citizen in the modern constitutional state. It thus realizes freedom in that it provides the agents with appropriate “objects” to will and appropriate motives to go along with them: It provides them with ends with which they can identify and with a clear practice that enables them to know both what they are doing and why they are doing it.

Hegel's basic understanding of the family is clearly in terms of its being a bourgeois, patriarchal social unity (although he continuously inveighs against what he calls the patriarchal political state, which he identifies with the states of antiquity). He holds forth on how the woman's place is in the home whereas the man's place is in the market, how women are not fit for the higher activities such as science and statecraft, and how sexual infidelities are not as important for men as they are for women (since men have a sphere of activity outside of the family whereas women do not). Now, it would be easy to be disdainful about this aspect of Hegel's thought, and it is certainly tempting to take the high ground and condemn Hegel's sexist views on men and women. Nonetheless, however much Hegel's views on these specific topics may seem amusingly quaint to some and downright odious to others, it is important to see why Hegel thought the bourgeois patriarchal family is so well suited to play an essential role in modern social life.

First, it is important to note how Hegel's thought about the family fits his

overall project. Hegel *could not* think that the family was a natural unit; to be consistent with what he says, he must see it as a social unit. He thus could not think that male dominance of the family was justified in terms of any theory of the “natural” dominance of men over women. It is true that in bourgeois society the family is the institution through which children are propagated and reared, but it is not a natural fact that it be the institution for doing so. There are obviously countless other possibilities for both the procreation and rearing of children and for men and women to express and act on their sexual desires; there are different forms of family life that do this, and there are also non-familial alternatives for accomplishing the same goal. Nor is Hegel arguing that in family life, the natural aspect (that is, the sexual aspect) of people’s lives must be severely repressed or “brought under the control” of the “spiritual.” Such a view would be flatly inconsistent with his *reconciling* view of human agency, and he recognized that.⁶³ The ends of ethical life cannot be experienced merely as imperatives calling out against our sensuous nature; they must be directives that are also “wants,” demands that are also desires. They must give the agents ends with which they can be “with themselves” – that is, with which they can identify. In sum: Hegel’s argument has to be that the form of the bourgeois patriarchal family develops out of the kinds of reasonings appropriate to *modern* agents and not out of any sort of appeal to human “nature” or to some “essence” that is realized in this social form. Moreover, the various ends that are moments of the overall end of “marriage and the family” must be consistent with the other ethical ends of modern life. Thus, the education of children must be to form them into becoming full fledged independent members of modern social life, not into being appendages of their parents or into carrying on the life of the “clan.”⁶⁴

In this respect, Hegel’s arguments about the role of men and women are particularly interesting. If one takes an inventory of what Hegel says about the differences between men and women, it looks almost like a feminist parody (or perhaps a feminist nightmare) of male sexist thinking.⁶⁵ Yet Hegel is not making these claims on the basis of any *natural* difference between men and women but on the basis of what is required for agents in general in the modern world to have a coherent self-understanding and to be free – indeed, on his own terms, these are the only claims he could be making. Moreover, even more interestingly, Hegel himself quite clearly understands himself, in his own quaint way, to be defending a version of women’s equality, however strange his version sounds to contemporary ears.⁶⁶ First, he argues that the natural difference between the sexes carries no moral weight on its own. To have any moral weight, it must be transfigured into a social (or “spiritual”) relationship, that is, it must be taken up into some scheme of understanding and be integrated into a pattern of practical reasons. Moreover, there are no natural features of women that make them incapable of doing the things that men do.⁶⁷ “Male” and “female” are natural differences that are given a social meaning. For Hegel, different forms of life (or cultures, as we would nowadays put it) may even have more male or female characteristics in them than other cultures.⁶⁸ For Hegel, the female character in modern

life embodies the ideals of wholeness and relationships. Women therefore develop their sense of self-identity more harmoniously, whereas the male character must struggle to construct his self-identity. The male character, so Hegel says, is more abstract than the female character, less attuned to the concrete realities of life, and for that reason, men tend to gravitate more to those tasks that depend on abstract thinking and in which they can put their personal lives aside in order to focus on some definite but abstract task. (This is why Hegel thinks he can confidently assert that all great works of art, science, and politics have been created by men; in his saying so, Hegel shows that his rather prodigious knowledge of history was apparently not quite prodigious enough.) In short, the male character is competitive, struggling, and oriented toward abstract things like rules and principles, whereas the female character is oriented toward those aspects of life that involve caring, an intuitive grasp of matters, and in which the maintenance of human relationships is important. In Hegel's view, the patriarchal bourgeois family therefore has things just right. The woman is sovereign over the household (the realm of caring), the man is the breadwinner (in the market, the realm of struggle and competition).

The justification for this division between male and female characters is the difference between two distinct functions of civil society. One is the function of the family in general as providing a distinct form of self-identity and a distinct ethical end. The family involves the individual in his or her most natural aspect (sexuality, reproduction), but it does so through a fully social construction of meanings that surround these natural facts about us. It also involves an institutional structure in which the person is recognized for *being* someone rather than in terms of what he *does*. The other function is that of doing rather than being, of society rather than family, of a completely socially mediated, non-natural sense of self-identity rather than one in terms of natural features of oneself. Hegel argues that both functions are necessary, and the bourgeois family's division of the sexes insures that both functions are rationally fulfilled (that is, they are fulfilled in ways that are neither self-contradictory nor contradictory of each other nor contradictory of the other aspects of self-identity in modern life). In the bourgeois family, men and women are each operating in a "social space" that secures recognition and dignity for their activities. By virtue of women managing the household and maintaining the emotional bonds of the family life, with the men working and securing the family's subsistence and capital, the ethical end of marriage and the family is supposedly secured. A consistent and rational social order is maintained in which both men and women can come to a fully rational and consistent self-understanding and have that self-understanding affirmed in their daily lives.

This line of thought is indicative of a general tendency that colors much of Hegel's mature thought. Whenever Hegel understands some social functions to be necessary to a form of life's continuance and maintenance, he tends to look for discrete job-holders for those functions. That is, he tends to portion

out functions to discrete individuals or groups as fulfilling that particular function. (We shall see it later in his treatment of the traditional *Korporationen* and their role in modern life.) This tendency in Hegel's thought is not in any way essential to his thought. It is not a requirement of his dialectic nor is it an implication of any of his particular ideas. It is necessary to his scheme of thought that these very different aspects be understood in terms of their unity, but it is not necessary that in social terms each of these aspects necessarily be represented by discrete individuals or groups. It apparently did not occur to Hegel (or he had some obscure reason for ignoring) that there were other alternatives, such as the possibility of combining these two features of modern life into the same personalities – that is, to make men more oriented to maintaining the emotional life of the family and to make women more concerned about securing the family's subsistence and capital, an alternative that has not escaped some commentators on Hegel's thought.⁶⁹ Indeed, in his own terms, he seems to be denying women full participation in modern life as self-determining subjects on the basis of some *natural* features of themselves, something entirely at odds with his overall project.⁷⁰ Moreover, to the extent that women cannot identify with the ends of modern life – cannot find themselves identified with the activities that are constituted in the achieving of these ends – they will be alienated from them, and they therefore will not be free. The ends will thus fail *for them* to meet the criteria of being ethical ends.

But this is one of those cases in which Hegel's solution may not be acceptable in his own terms, even though his statement of the problem and the general direction may be on the right track.⁷¹ In terms of being an ethical end, marriage and the family must combine personal and impersonal points of view (the particular and the universal) into itself. It must take the natural distinction of the sexes and the facts of human procreation and child rearing and integrate them into a pattern of meanings that is consistent with the overall pattern of meanings that makes up modern "social space" in such a way that the individuals (both men and women) can identify with them. Within that end, some room must therefore be found for the integration of emotional life and securing family existence, along with the exigencies that come with raising children. Hegel's argument is that because of contingent historical facts, the bourgeois patriarchal family has come to fulfill all these conceptual needs and thus can be seen in retrospect to have necessarily (or conceptually) completed part of the modern project. But, again, Hegel's argument does not – *cannot* – rule out other forms of marriage and the family, provided that they can also fulfill the same criteria for a successful form of social life that he argues the bourgeois patriarchal family does; and there are good Hegelian reasons for arguing that the bourgeois *patriarchal* family does not fulfill these goals as well as Hegel seems to think that it does. There thus might be good Hegelian reasons for discarding a *patriarchal* conception of the family, but, in any event, something like the (non-patriarchal) *bourgeois* family would be needed to fill this role. To the extent

that the bourgeois family cannot satisfy the criteria that Hegel has set up, much more of the Hegelian project in social philosophy would have to be rethought.

The mutual dependencies of civil society

The second of these ethical ends has to do with the formation of oneself as a modern individual in civil society (literally, "bourgeois society," *die bürgerliche Gesellschaft*). Again, the same strategy is used to justify this end. It is shown to have both a subjective and an objective side (that is, to fit both the personal and the impersonal points of view), and it is shown to fit in with the other ethical ends of modern life. It is also shown to follow from the ideal of the bourgeois family itself. Although the family incorporates a sense of self-identity in terms of who one *is* (as a family member), there are many such families, the children come to maturity and form their own families, and there is, of course, the natural fact of death that dissolves families. In any event, civil society emerges as a collection of families or, more particularly, as a collection of individuals. Self-determination is given a more determinate sense here in that individuals now see themselves as pursuing their own particular ends, as concentrating on their own utility. Rather than being seen in terms of who they *are*, they are seen in terms of what they, as individuals, *do*. As we might put it, in civil society, the individual pursues rational self-interest. In marriage, the individuals involved seek a mutual affirmation of themselves in romantic love. The bond between the two is that of an *emotional* recognition of each other. The romantic bond is thus not that of mutual self-interest but of a mutual dependency that nonetheless preserves the sense of independence of each of the members. (Hegel thus strongly objects to Kant's conception of marriage as a contract for the mutual and exclusive use of each other's sexual organs.⁷²) In civil society, the mutual recognition conveyed by the parties is more in terms of what each member of civil society can do for the other.

Civil society offers a new realm of freedom that is very similar to that of "Abstract Right": individuals understanding themselves as free in that each is "doing what he wants" with his property within the "social space" created by the sphere of abstract rights that each individual brings with him. Within this "social space," each appears to be self-determining, for each appears to be setting his own particular ends, whatever those ends may be, and to be acting on those ends.⁷³ Each agent must deal with other people, so it seems, only on his own particular terms. The dealings of the couple involved in romantic marriage are not of this type, for in that union each is seeking and operating within a deeply emotional bond that gives them a common self-identity (each understanding him- or herself as a "moment" of the marriage). In civil society, each member does not seek a common self-identity but rather seeks to establish and affirm his own self-identity (thus expressing the general dialectical move from unity to difference). Whereas marriage is a genuine union of agents into something that is held together by emotional bonds, civil society

is a union that is seemingly held together only by rational self-interest. The motive for the individual to join civil society is thus clearly a personal motive: He gets to do what he pleases and to follow out the dictates of his own personality.

However, this freedom is in large part illusory. Whereas each seems to be completely self-determining, to be setting his own ends, each is actually dependent on the other people such that the ends that can be set are dependent not merely on the physical contingencies of life but on the contingencies of other people's willings. Since it is a fact, especially within the context of modern market societies and the desires they create in their members, that the individual cannot satisfy all his desires by himself, the individual is dependent on others to assist him in satisfying them. This exposes the individual to the contingency of whether others actually are so disposed to help him. Since the individual cannot escape this contingency, he must therefore orient his life so that these others will *in fact* be disposed to help him. His so-called self-determination is thus subject to the exigency (*die Not*) and contingency of the market. Individuals find themselves having to structure their ends and actions around what they take to be the ends and actions of others. The apparently unlimited freedom of civil society is thus in truth actually a thoroughgoing form of dependency and necessity. The apparent difference of self-identities of the individuals in civil society also turns out to be partly illusory, for at a deeper level there is in fact a shared self-identity, that of being the modern rational self-interested agent thinking of his situation in terms of its utility.⁷⁴ This is the truth of civil – market – society. The necessity involved in this form of dependency has two aspects. It is first of all the commonsense necessity of coordinating one's actions with those of others in order to achieve whatever it is that one wants to achieve. In this way, one's own ability to achieve one's own ends is subject to the contingencies of others willing things that assist it or at least do not thwart it. Second, one's willing turns out not only to be subject to the *contingency* of others willing certain things but also to the deeper *necessity* of the laws of the market, which are explored in the science of economics. One thus finds oneself subject to the whims of others and at a deeper level to the laws of the market.

It thus might seem as if it is only the *contract* – the binding agreement struck between two or more rational self-interested individuals as a category of "Abstract Right" – that is the basic form of social bond at work here. By virtue of the complete dependency of each on the contingent willing of each and the necessity of the laws of the market, a system of mutual dependency is created that is the inevitable result, although not the conscious aim, of the actions taken on the part of the members of civil society and of the particular desires they have. The issue is then whether this end – to be a rational self-interested individual in bourgeois market society – can serve as a genuine ethical end, since it might seem that it would fail to meet the criteria for being such an end. That is, it would fail to be something with which the individual can identify and can see for himself as an authoritative reason *for him* to act. It would seem that the individual agent can identify with these ends only to

the extent that he is in the dark about them. Once he realizes just how dependent he is and how subject to contingency his willings are, it would seem that he would lose whatever identification he might have had with them and instead become alienated from them. Hegel must therefore give some reason for reconciling the individual with this form of life that is acceptable to the individual from his own subjective point of view.

The system of mutual dependencies that arise out of this can subjectively appear at first to each agent as something simply imposed on him and as something that has value for him only in that he can manipulate that system for the achievement of his own ends. In fact, it actually serves an "ethical" (in Hegel's sense) purpose: it cultivates people into becoming modern autonomous agents who integrate this formal autonomy with substantive conceptions of what is right. This overall productive organization of market society thus creates a kind of common capital on which individuals may draw in order to satisfy their own desires and needs; it requires only of the individual that he cultivate his talents and acquire traits that can be useful in such a society. Each may satisfy himself only by making himself useful to others; each thus is socialized into the form of life that constitutes modern life.

As Hegel acknowledges, this presents a certain amount of difficulty for any argument for civil society as an ethical end. Supporting himself with observations based on his readings of Adam Smith and the other Scottish economists, Hegel notes that the division of labor, which is necessary for the greater productivity of civil society, also leads to the distress of the worker (something of which he speaks in the lectures but that is only mentioned in passing in the published *Philosophy of Right*). The worker can find himself being put out of work because of technological advancement or because of changes in taste concerning the products his industry makes. This aspect of civil society is quite obviously difficult to justify on Hegelian grounds. As forming an independent ethical end, it must be something with which a modern agent can personally (subjectively) identify. Yet on Hegel's own admission, there are many alienating aspects about civil society. Civil society represents an alienated ethical end; it is not something in which the individual can immediately (that is, in a taken-for-granted manner) find himself at home. Until they reflect on it, it appears more to the individuals as either an obligation, an end to which they must simply learn to submit their inclinations, or as a social "fact" imposed on them, something that they must simply accept. The personal motive for complying with the demands of civil society is, in a sense, the fear instilled in each person of his not being able to meet his natural and his socialized desires. Contrary inclinations are checked by the necessity for each to earn his own way, to adapt his desires and plans to the system of dependencies in order to satisfy himself. Fear, however, is not a good motive with which to get an agent to identify with his actions.

What is reconciliatory in this form of social life, so Hegel argues, lies in the laws of the market itself. In producing both greater prosperity and a complete system of mutual dependency, the market actually liberates individuals from

other more crippling contingencies.⁷⁵ (It must be remembered that Hegel is writing during the early experience of the Industrial Revolution, something that began to happen during his lifetime. He was fully aware of the ways in which the world around him was transformed by this upheaval, particularly by the way in which it transformed the backwaters of Europe into cosmopolitan centers and offered up wholly new alternatives for the people in them.) Thus the market creates a new form of social life in which people can actually pursue ends that are more their own, can make choices about their lives and what they are to do with them. The market forces each to work for others in order to satisfy his own desires and needs; it also forces the individual to order his desires and decide what it is that he really wants and what he is willing to sacrifice. Most importantly, therefore, the market socializes its members (or rather leads them to come to understand themselves as socialized). In that way it performs the Rousseauian task of “forcing a person to become free,” not by forcing him to conform to any so-called “true self” but rather by disciplining the “natural will” – that is, by forcing him to regulate and order his desires instead of simply going along with whatever occurrent desire he happens to have. In learning to order and regulate his desires, the individual is put into a position in which he becomes more free – that is, in which he can come to see his desires as “his own.” Moreover, the market demonstrates to the members of civil society, perhaps more effectively than philosophy can do, just how deeply social they and their desires really are; the desire for luxury or for comfort, for example, may be clearly seen to be dependent on what others in fact take to be luxury or comfort. Thus, although from the subjective viewpoint, the exigencies of the market can at first seem onerous to the individual, in fact, he *can* even come to subjectively understand them as assisting in his freedom, in an analogous way that a child can find going to school to be a burden but nonetheless understand that this in fact is gradually freeing him to be “his own” person. The labors required of us by the market in fact are part of our education and cultivation – our *Bildung* – as modern agents.

However, this would not be enough on its own to make civil society as a system of mutual dependencies into a genuine ethical end, for it would not provide a common project to participants in this form of life. Instead, it would be only a system of pure individualism, in which individuals dealt with each other *only* as individuals, not as members of a common life. Although the individual in such a system of individualism might come to see that the system of mutual dependencies had an underlying rationale in that it forced him to become more socialized, he would still *experience* the system as a type of imposition, since, so it would seem, he cannot do what he “wants to do”; instead, he must continually adjust his behavior and expectations in terms of what others are doing and expect from him. If there were only the system of dependencies, then it would not be possible to overcome the kind of alienation that would be experienced by the participants in such a form of life – that is, of individuals doing things because they *have* to do them rather than because they identify themselves with the actions.

The resurrection of the estates

In order to block this kind of alienation, it is necessary that there be different estates (*Stände*) in society. The estates thus fulfill a certain teleology inherent in civil society: They are the kind of things that are necessary to resolve the irrationalities of the otherwise pure individualism of modern social life. Although this is not the historical reason why the estates themselves arise, the estates can nonetheless be understood as fulfilling a necessary place in a teleological ordering of social forms intended to present a form of social life in which agents can be "with themselves," with which they can identify, and that is justified as a realization of freedom. Although each agent is equal to all others as a rational agent, the contingent circumstances for each person (talents, desires, social standing) are different. Because people have different needs and desires, there will be correspondingly different social functions for satisfying those needs and desires.⁷⁶ (Once again, we see Hegel's characteristic move from "distinct function" to "discrete individual or class to fulfill the function.")

Hegel's invocation of the estates is both peculiar and penetrating. Historically, the estates had both political and social meanings; they had grown out of the organizations of medieval feudalism but were distinct from them. They were groupings according to legally recognized social rank (which tended to correlate with economic status) in that they tended to concern themselves with the rights and privileges of people in terms of the estate with which they were associated. In their older form, they provided the way in which an individual interacted with the ruler. (A ruler, for example, would not collect taxes from individuals but from the estates, and it was then up to estates to decide among their members how the funds within the estate were to be collected. Likewise, in meting out justice, the ruler was obligated to make sure that each individual received his proper due not as an individual *per se* but as an individual-as-member-of-a-particular-estate.) As such the early modern estates were a much more legalistically organized form of social organization and much less dependent on the vagaries of personal ties and "ancient custom" than the organizations of feudalism. In the state-of-estates (the *Ständestaat*) people tended to confront the ruler (or the "state") not therefore as individuals but as members of a group – that is, an estate. Indeed, this feature of *confronting* the ruler was one of the major distinguishing features of the estates from the older forms of feudal social organization.⁷⁷ But the growing impact of the state as a whole on the economic fortunes of its members and the rising individualism of Hegel's own time were increasingly making the estates into an antiquated relic, since the individualism dominant in both the American revolt and the French Revolution, which was also being encouraged by the growing market economies, increasingly were making the estates into an irrelevant political entity. Thus, in Hegel's time the estates were already on the wane. It is therefore striking that Hegel nonetheless argues that the estates should have a social basis and a political role within the emerging form of post-revolutionary modern life and that he tries to give an

argument for it in terms of its being necessary to the realization of the modern principle of freedom.

Hegel's argument for modern society's requiring at least three such forms of social organization into estates is something like the following. Humans are organisms who in modern life have come to think of themselves as self-determining agents existing in a social sphere of mutual dependency, and whose needs and interests are both fully social and can be indefinitely extended. That is, they have immediate (taken for granted) organismic needs, mediated needs for the social organization necessary for the system of mutual dependency, and mediated needs for the social practices and institutions that recognize the self-determination of the agent in his socialized existence. There will therefore be three estates: an immediate estate (agricultural workers providing food), a reflective estate (the businessmen and burghers of local communities who guide its local politics and practices and who provide the system of mutual dependency), and a universal estate (the great generalizers of society whose talents and jobs do not bind them to any particular community – namely, civil servants, intellectuals, and the men and women of international trade, who can take the larger interests of society into consideration).⁷⁸ These correspond, not surprisingly, to the categories of individuality, particularity, and universality.

Each of these three estates will exhibit a particular set of virtues – that is, a particular set of dispositions, inclinations, and desires that correspond to the duties and ends of that estate.⁷⁹ The agricultural estate is described by Hegel in terms appropriate to the European peasantry he knew, so that the peasant emerges as dependent on nature (with its winds, rains, droughts, and so on) and develops his appropriate virtues of simplicity, trust and obedience (even though Hegel explicitly took note of the growing industrialization of agriculture already beginning in his day, something that he thought would nonetheless not intrinsically transform those virtues).⁸⁰ The business estate (*Gewerbe*) has as its principle the transformation of natural products into manufactured products. It includes artisans, industrialists, and the men and women of trade (that is, financiers and merchants who do not actually produce anything but pursue trade in things and in money). The members of this class, by relying on their own hard work to exploit the system of dependencies, pursue the goal of becoming independent by accumulating enough wealth (that is, they enter the market with the goal of escaping from it). Consequently, as a “reflected estate,” it has the virtues of respect for freedom and order. The mobile “universal class” exhibits fidelity to the objectivity of the law. In this way, more determinate ethical content is also given to the idea of an autonomous will that wills consistently with the claims of “Abstract Right” and “Morality” – namely, through the content incorporated in the rights and duties of the distinct estates.

Giving this prominence to the estates raises the same problem found in other aspects of civil society: It seems to contradict, at least superficially, the modern ideal of self-determination, since an agent's self-identity will be determined by his or her position in this or that estate. This is not obviated by

the fact that in the modern world the estates cannot be anything like castes. The individual must be able to choose which estate he is to join, even if the range of his choices are limited by contingent factors (for example, the peasant's son may not have the educational background to go to university and join the mobile "universal class"). Nonetheless, like other elements of civil society, the status of something like this as an ethical end seems precarious. Hegel's argument for the necessity of the estates therefore rests on two claims: (1) A specific claim that the necessity of the division of labor requires something like a division into separate estates; the estates are necessary because not everybody can do everything. On its own, this would not be sufficient, since it need not require anything like *estates* – that is, social/legal entities whose members have a certain legal and social status by virtue of their membership in them. (2) A more general claim that people's self-identity is constituted by the webs of mutual recognition. The second claim has to do with the Hegelian thesis that it is necessary for individuals to have some institutional filling (some "substantiality") to their lives in order to have any coherent sense of who they are. People's self-identities are stable only when their own self-conceptions are affirmed by others, and this process of mutual affirmation is itself successful only when there are firm institutional structures that mediate it. (This is not a "psychological fact" about people but a conceptual point about the link between self-identity and social recognition.) Hegel's point is thus that without *something like* the estates, there could be no recognized and stable form of self-identity. Without something like the estates, so Hegel argues, each individual would instead find his self-identity to be continually up for grabs. Moreover, without something like the estates, there could be no determinate *formation of conscience* for individuals, and there would thus be no way of having, inculcating or arguing about anything like the virtues. There would be only the collection of natural traits that individuals acquire by virtue of their natural endowments, their upbringing, or whatever, and there would be no way to attach any socially recognized significance to any of those features. This would completely undermine the realization of the principle of freedom as self-determination, since the individual would find that his self-identity was subject to the complete contingency of what others took him to be, and that would be a matter of contingent desires, inclinations and projects on their own part. In order to acquire a self-identity that one can make *one's own*, one must therefore be a member of a recognized social estate and identify with it. In that way, the personal point of view would be integrated with the objective point of view: in pursuing the ends of one's estate and in cultivating the virtues appropriate to one's estate, one would be in a position of "doing what one wants" (being an artisan, being a farmer, whatever), being able to see that as justified, since it fulfills a necessary function in social life and is recognized by the rest of civil society as doing so, and in identifying oneself with the activities associated with one's estate. The estates express a fundamental form of self-identity for the members of civil society that transcends their status as "individuals."

The estates thus assist in transforming the system of dependencies found

in civil society into a system of freedom. Without a system of estates, there would be only the system of dependencies, in both the economic sense and in the more general sense of individuals forming their self-identities according to what is needed by others. However, individuals who act on the basis of the virtues and honors of their estate find themselves to be recognized members of civil society; they can thus find themselves identified with the activities based on those motives that attach to being a member of this or that estate. In this way, being a member of an estate is a condition for avoiding the kind of alienation that would otherwise follow from a society composed simply of atomistic individuals.

Hegel appeals to the estates – and in particular to the “universal” estate among them – for a good reason. Even though he is often cited as a basic thinker in the “communitarian” school, Hegel does not in fact make much, if any, appeal to the rather amorphous conception of “community.” If nothing else, the local communities that he knew were, in the historian Mack Walker’s phrase, the “hometowns” of pre- and post-Napoleonic Germany.⁸¹ Although these “hometowns” had in addition to their own very complex legal order many of the features that modern communitarians and champions of localism like to extol, they were fundamentally closed off to the world and were provincial in the derogatory senses of the word. Communities in the form of “hometowns” prevent the kind of universalistic point of view that is necessary to modern life and to having a non-alienated form of life, for the “hometowners” can ultimately only understand other hometowners. Unless there is a *universal* estate – people whose life and mores are more cosmopolitan than the “hometowners” – it is not possible for there to be anything like the fully objective point of view necessary for a non-alienated form of modern social life. (We shall see later how this supports Hegel’s arguments for the rationality of the constitutionalist state.)

The importance of the consistent and fair administration of a rule of law, so Hegel argues, follows quite straightforwardly from the necessity of the estates. The rule of law is necessary not merely on practical grounds (because of free-rider problems, problems of coordination, and the like) but on deeper ethical grounds. The non-alienated self-identity gained by being a member of an estate in a market society is possible only in a stable system of mutual recognition, and the social institution that fills this demand of reason is that of the rule of law, since it guarantees to the various members of civil society that their rights as being this or that individual will be respected. If there were no estates, then the rule of law could be only the abstract rule of property and contract. Agents would have no secure self-identity other than that which they could gain by what they acquire in original acts of appropriation (so rare as not to count in modern markets) or in exchange. Since a system of pure exchange would be a system of complete mutual dependency, it would be an alienated system for modern agents. The rule of law requires a high degree of specification into distinct and unambiguous laws so that the members of civil society can assert their sense of self-determination (codified in their rights) in a determinate fashion.

The estates as ordered by a fair administration of justice based on the rule of law augment the market's system of dependencies such that some substantiality is given to the individual's sense of himself. The "social space" in which the individual assumes a position becomes more determinate, and it is possible for the individual to assume a standpoint in terms of which he can coherently think of himself as self-determining. However, this itself is not enough to provide the agent with a coherent self-understanding, for it provides only for the individual's thinking of himself as a member of civil society possessing certain determinate rights, duties and virtues. The individual agent thinks of himself as autonomous, and through these various types of social institutions, he further acquires the support for thinking of his own self-determination from a subjective as well as objective point of view; thus, his more particular forms of self-determination (of "doing what he wants") will be seen as consistent with doing what he wants from a more universalistic point of view. The individual's well-being consists in his ability to pursue *his own* determinate ends. In a civil society with a rule of law, the individual has the legally enforceable rights to follow these ends; these rights thus safeguard and thereby assist in the agent's exercising his self-determination.

The problems of the market: contingency and poverty

However, this set of social institutions cannot shield the individual from other contingencies, such as ill health or accidents of various kinds that could prevent him from achieving those ends which he has a right to pursue. Thus, the individual can still take himself not to be fully identified with those actions done on the basis of the virtues and duties of the estates, since he can be fully aware that his success in achieving whatever determinate ends he seeks *within his estate* are subject to these kinds of contingency. Even at the height of personal success, he can step back and reflect from a more objective, impersonal point of view on how this success is nonetheless up to chance. Moreover, the guarantee by a system of law of his rights to pursue his ends does not ensure that others will afford him the means or opportunities to exercise those rights. The system of dependencies rewards him only to the extent that he contributes in a way that others find useful; once he ceases to contribute in that way, it ceases to support him, for the dependency is then asymmetrical and not mutual.

The system of dependencies mediated by a collection of estates under the fair administration of law therefore needs to be augmented by some type of communal regulation, what Hegel (following the language of his day) calls the *Polizei*, the "police." These "police" are not the officers of the law with whom we associate the word but the kind of regulators, administrators, and policy makers that characterize any modern polity.⁸² The overall role for these "policing functions" is to make up for the contingency of conditions under which individuals live and work – that is, to make sure that not only are their rights protected but that their ability to *exercise* their rights is also protected. The justification for the institutions that fulfill the "policing func-

tions" is based on their providing the individual not with a guarantee that he actually achieve the ends he seeks but with the "human capital" in terms of which he can pursue the ends. That is, the proper goal of the "policing functions" is to guarantee that the individual have the education and acquire the aptitudes necessary to pursue the goals appropriate to his estate and that the social order be well regulated so that it is possible for those goals to be achieved.⁸³

A "policing function" in the social order is necessary, and it cannot be left up to morality alone to put into place. It is true that moral agents have a duty to be beneficent and charitable to others, but one's ability to exercise one's rights (and in particular to exercise one's capacity to be one's own person) is, if left up completely to the moral assistance of others, a matter of contingency. For various reasons, others might not do their moral duty. Because of assorted kinds of problems of coordination (and of moral agents not wanting to be taken advantage of by virtue of their fulfilling their moral duties while others fail to fulfill their own duties), it will also be the case that the removal of limiting conditions on people's ability to exercise their rights is done more efficiently and less arbitrarily by these "policing" *institutions* than by unconnected moral agents. The "policing function" thus cares for the infrastructure of civil society: the building and maintenance of roads, bridges, hospitals, schools, and so on. These various aspects that make up the "policing function" of civil society form a kind of common, social capital for individual agents to draw upon. However, the necessity of the "policing functions" follows not simply from these pragmatic considerations about what is necessary to "make things work" but on what is necessary to ensure that these modern agents have a coherent form of self-understanding such that they can be "with themselves" in their actions. Without the assumption of the form of "social space" built out of the linkage between the conceptions of abstract rights and autonomous agency, there would be no ethical justification for such "policing functions." Further, without some assumptions about the nature of the family, the market, and the necessity of there being various estates, there could be no argument in principle about how far the "policing functions" should go, about just how much is appropriate for the "policing functions" to concern themselves.

Part of the purpose of the "policing functions" is to deal with the problem of poverty in civil society. In this kind of market society, so Hegel argues, poverty will *necessarily* arise, and this kind of poverty presents the most pressing and intractable problem for this form of life. The division of labor and the growing efficiency of production in market society (explained by Adam Smith) entails that work becomes ever more "abstract." The artisan learns a trade and the skills that go with it, but the factory worker learns how to do some generalized small task. The factory worker thus can be more easily replaced than the artisan; indeed, he can even be replaced by machines. Thus, the type of work employed in factories is more "abstract" in the sense that it involves less of an orientation to a determinate type of activity and its associated skills, and the factory workers are more interchangeable with each

other than artisans are. Indeed, since their work can be replaced by machines, these workers themselves can be replaced by machines – a development that, as Hegel notes, has in his time already been accomplished in England. Moreover, those with greater capital can accumulate even greater capital by investing it in these (for Hegel's time new) industrial enterprises, and they gradually swallow up smaller enterprises. This growing efficiency and monopolization of industry, however, results in many workers losing their jobs and being forced to seek employment elsewhere. The problem of joblessness is exacerbated by other necessary features of a market economy. In the market society there will always be overproduction of some goods. When there is a demand for some goods, entrepreneurs will flock to satisfy the demand. More goods will then be produced than can be consumed, and many of the entrepreneurs will go out of business or at least be forced to cut back on their labor force. Those workers will have to find new jobs. In the cases where the jobs involved required the workers to acquire certain determinate skills in order to fulfill the job requirements, it will be even more difficult for them to find new jobs that employ the skills they have acquired. The result is a growing distress and misery for one part of the population at the same time as there is a growing wealth for other parts, and the distance between the two can widen immensely.

This results in a growing *dependency* on the part of the working class; their fate is now tied to the decisions that others make and to the laws of the market. The industrial worker thus finds himself caught in the system of dependencies that others seem to escape, and this contradicts his understanding of what (modern) agency is. Whether he can formulate it philosophically is irrelevant: The “social space” he occupies is structured around the ideals of independence and self-determination, and he seems to have neither. As the problems of poverty grow worse, a class of rabble (*Pöbel*) is thus created. This “rabble” (or “underclass,” as current sociological jargon would have it) lacks the human capital (the skills to take advantage of the opportunities presented by civil society) that would give them the means to sustain themselves by their own efforts. They lack the means to participate fully in the workings of modern civil society, and, thus failing to participate fully, they either do not acquire or they lose the virtues and dispositions that are necessary to being a member of such a form of life. The vicious circle that gets established with the “rabble” is that, lacking the human capital necessary to participate in civil society, the “rabble” fails to participate in civil society, and, by not participating it fails then to acquire the human capital necessary to rectify the situation. But as participants in that form of “social space,” they continue to think of themselves as self-determining or at least as having a *right* to be self-determining and independent, a right that they see as being violated (even though no particular individual is actually violating this right). They come to believe therefore that they are due something from a society that from their point of view unjustly cuts them off from its advantages; however, because of their lack of the skills necessary for participation in civil society, they do nothing within the terms of that society to entitle themselves to such

advantages. Others cannot therefore recognize them as entitled to anything, and they take those others to be depriving them of something to which they are entitled.

This “rabble” is a modern socialized invention. It is not as if some basic natural needs are not being met; it is rather that the socialized needs – in particular, the “need” to understand oneself as a modern individual – are not being met.⁸⁴ The individuals of the “rabble” therefore come to experience an indignation at the holdings of those who have more and therefore also come to see no need to cooperate with the better-off members of society. They quite naturally also attract little sympathy, since they do not play by the rules of civil society, yet (so it appears to the better off) they demand that things come to them without their having to work for them. This exacerbates the vicious circle in which they are caught. Criminality and moral degradation come to be the lot of the rabble. The rabble thus represents a distinct type of concrete threat to the stability of civil society and a distinct type of threat of ethical failure of modern institutions.

Interestingly, Hegel also thought that the same kind of rabble mentality grows up among the wealthy.⁸⁵ Because they see everything as purchasable, they too come to see themselves as not bound by the rules of civil society. As the mirror image of the rabble, who come to think that civil society owes them a living, the wealthy come to think that they owe nothing to civil society even though they demand from civil society protection of their interests. Both the rabble and the wealthy become obsessed with a version of what is their own “by right” and for which they do not see themselves as having to make any contribution; both, that is, think that they should have certain advantages without themselves making any contribution to the functioning of civil society. In that way too, the wealthy come to suffer from an arrogance and moral corruption completely analogous to that of the poverty-stricken rabble.⁸⁶

The problem of solving these issues of poverty cannot be met by either pure market mechanisms or by simply using the “policing function” to redistribute wealth. Pure market mechanisms will not work since it is the workings of the market that brings about the creation of the “rabble.” Interfering with the market (by guaranteeing jobs) will not solve the problem, since that will only lead to overproduction of goods, which aggravates the problem rather than solving it. Moreover, simply giving the poor subsistence payments will not work since that deprives them of the socializing aspect of work and thus fails to create the necessary set of dispositions for functioning in civil society.

Hegel sees only two ways out to resolve this problem. The first way is to expand national economies into world economies so as to produce a rate of growth that can insure enough economic expansion to provide enough jobs to absorb the poor and to reintegrate them into civil society. (Hegel also partially links this with an argument about colonization, which I am ignoring here.) Once again, Hegel is not arguing for international commerce as a pragmatic solution to achieve some fixed end. His argument is that the creation of a system of international commerce is necessary in order to main-

tain civil society as a genuine ethical end – that is, to maintain a form of social life in which freedom can be realized and in which modern life's self-understandings are made rationally sustainable. International trade also opens people's minds up to a more general system of recognition of the common humanity of others, and it assists the formation of a more objective (universal) point of view than is possible in limited national communities. A system of international commerce is justified to the extent that it does these things. This is of course not to say that the system of international commerce *historically* arises because of this need to develop and maintain a coherent set of self-understandings. In fact, as Hegel makes clear, it arises simply out of the desire for profit. The need to preserve a coherent set of self-understandings is not the *cause* of the rise of international commerce. It is rather the way in which the system of world trade is *justified*, specifically by being shown *ex post facto* to fulfill a certain teleology inherent in the logic of modern life.⁸⁷ As we might put it, the *legitimacy*, as distinct from the *efficacy*, of international trade lies in its fulfilling this teleology of ethical ends.

The problem for civil society as an ethical end is that the unity established between the individual's personal point of view and the objective point of view – more particularly, between the claims of autonomous agency and the claims of right – is not fully stable. Each tends to separate and stand in contradiction to the other; the unity of personal and impersonal (subjective and objective) that is defining for ethical ends is forever coming apart in this particular set of ethical ends. What Hegel thinks has happened in the modern discovery of market mechanisms as explained by the Scottish economists is that a relatively stable way has been found to harmonize the self-seeking tendencies of modern autonomous agency with the claims of right that these kinds of agents intrinsically make for themselves. But this harmony is, because of its own logic, forever in danger of shattering. This is particularly true in the business estate (which presumably included the workers involved in that estate): The danger of self-seeking covering itself in the mantle of invoking its "rights" is particularly likely there. (In holding that view, Hegel is perhaps also being a bit too optimistic about the other estates.)

The resurrection of the Korporation

One solution to this problem, traditionally identified with Rousseau, is to get the members of civil society to come to see themselves as part of something like a "national family," and to see the state as the social institution for accomplishing this. Hegel rejects this solution. The state, as we shall see, cannot be anything like a family, and the attempt to give it the kind of unity that a family has is both theoretical nonsense and ethically disastrous. However, he does accept that something *like* a family unity must be established, and the social institution that fills this criterion is something that he calls the *Korporation*, the corporation.

The corporation is also the second solution (in addition to the expansion of international trade) to the problem of alleviating poverty. The corporations

of which Hegel speaks were social institutions which, like the estates, were for all practical purposes already dead in his own day. These corporations are not to be confused with the modern capitalist giants that we call corporations. They are an older form of social and legal life, which were "groups of persons joined together for their common benefit and at the same time pursuing purposes of public interest."⁸⁸ The early modern German *Zunft*, or guilds, were corporate bodies in this sense, but not all corporations were guilds. Corporations included universities, bodies of civic officials (such as judges), and commercial companies. The corporation controlled admission to itself, set standards and provided for the needs of its members. Hegel does not argue for the existence of the full panoply of medieval and early modern corporations. Rather, he argues that one particular estate, the business estate, should be organized into distinct corporations, and his argument for this is similar to the argument he gave for the necessity of the estates in general. The necessity for corporations is to provide a social institution to support a certain type of self-consciousness, to provide a means in which "social space" can be rationally (that is, coherently and consistently) ordered.

The bourgeois family provides a "substantial" basis for the individual's self-identity. Because of who one naturally is, one achieves a substantial form of self-identity within the family, and many of one's emotional and psychological needs are met within it. In the family, one has a shared self-identity. The corporation extends to the individual a similar type of satisfaction but without the natural basis that underlies the family. The shared self-identity that exists in the corporation is that of camaraderie (*Genossenschaft*), not familial identity.⁸⁹ As a professional organization that furthers the interests of its members and upholds certain public standards, the corporation also provides a sense of mutual dependence that checks the tendencies toward egoistic self-seeking that is forever threatening bourgeois society. Part of the force of corporations is that in a society that is organized around them, it is the corporation that licenses its members to practice their profession; corporations are not private bodies like clubs but relatively autonomous public institutions. Although membership in corporations is voluntary, there is a great motive provided to join one, since without membership one cannot practice one's profession. For one's own private ends, therefore, it is necessary to join a corporation that is empowered with a certain public responsibility. Corporate membership thus creates a union between personal interest and public responsibility. It serves as a relief from poverty in that the members of corporations are required to take care of their own members – to provide them with the equivalent of unemployment insurance, to insure that their children are educated, and so on. The stigma, so Hegel clearly argues, of accepting public relief is alleviated because in accepting relief from the corporation, one is accepting help from people who are like one's second family.

The necessity for corporations therefore is like that of the estates in general. They provide an institutional arrangement for the mutual recognition of their members such that (1) the sense of self-determination is preserved for each member, for in acting in accordance with the standards of the corpora-

tion, one is acting in accordance with who one is (the corporation as a second family); and (2) in acting in accordance with the standards of the corporation, one is acting in a publicly recognized and beneficial way. The corporations provide an institutional setting for mutual recognition and for a harmony between the objective and subjective points of view.

The alternative to corporations is pure individualism, which he recognized as a direction toward which the business estate seems to develop. To the extent that one's self-identity is not secured by the standards of a corporation, one has no stable self-identity, and one's understanding of oneself as a self-determining agent is thereby contradicted or undermined. The only way in which one could then establish any consistent and coherent understanding of self would be as a kind of free floating individual linking himself up with some external standard that is widely recognized in civil society. That would be, of course, the accumulation of status goods and the hedonistic pursuit of pleasure.⁹⁰ Hegel's argument against this is not a moralizing, finger-wagging denunciation of its "wrongness"; it has to do with the irrationality, the unsustainability of that way of living. Such free-floating individuals find themselves in an unintelligible morass; they cannot understand who they are or what they are to do next. Thinking of themselves as self-determining individuals, they are forever finding that their lives are in fact determined by all kinds of contingencies that according to their self-understanding should have no control over them. However much pleasure they might derive from such activities, such individuals are bound to have a life of succeeding disappointments, since they will forever be failing to be the people – the self-determining independent agents – that they think they ought to be. (It is then especially curious that Hegel thought that the corporation, restricted to the business class alone, could help alleviate poverty. His reasons for doing this no doubt had to do with what he saw to be the impoverishment of those artisans who found themselves out of work during the early stages of the Industrial Revolution; his solution obviously would not apply to those rural folk who later came to comprise a great number of the unemployed urban proletariat during the later phases of the Industrial Revolution.)

Corporations and the family, Hegel argues, are the cornerstones of civil society. The structure of these two social institutions constitutes a "social space" in which people can acquire ethical ends: ends that are rationally acceptable to agents from both the personal and impersonal point of view, while also being ends with which the agents can identify (that is, being ends from which the agent is not alienated). But civil society with its corporate structure and its collections of families cannot completely fulfill this task of articulating a "social space" in which a coherent and consistent set of ends exist. Both corporations and the family are limited forms of community. In them, people attend to each other's particular needs and in them people are provided with personal resources of material and non-material kinds that enables them to lead lives that match up to their understanding of who they are. However, they do not acquire anything other than a moral motive of general beneficence to attend to the needs of members of other families or

communities. This puts the fates of families and corporations at the hands of various other social and natural contingencies. There is also the question of cooperation among the various families, individuals, and corporations and whether various corporations and families should compete with other corporations and families for resources and status, perhaps taking some away from others in order to provide for the well-being of their own members. In one clear sense, the structure of civil society itself logically solves this problem in its erection of a rule of law and a system for administering justice. The principles of cooperation thus can emerge out of idealized bargains among the various families and corporations as a way of maintaining a certain peacefulness and cooperative spirit for the purpose of mutual benefit. People agreeing to cooperate on a basis of mutual respect could then devise the appropriate institutions of regulation and administration for the conduct of affairs in civil society.⁹¹

Why, however, would people agree to cooperate on a basis of mutual respect? Each thinks of himself as possessing certain very general (abstract) rights and as being an autonomous agent. Seen in this way, we represent the individual as having certain goals (even very general goals such as keeping his self-identity consistent) and then start looking for ways to best secure those goals. But seen in that way, it becomes clear that it would be a contingent matter whether treating others with "respect" would serve to secure those goals. If there is no further determinateness to the structure of "social space" than that of "family" and "civil society," then the individuals have no reason other than calculations of personal and corporate interest to cooperate. The injunction to cooperate becomes simply a moral exhortation, something we *ought* to do but not something to which we are otherwise inclined to do. As with any moral exhortation, it may or may not be something with which we identify in terms of our conscience. We may obey it as an injunction (and if we are good Kantians, we may console ourselves with the thought that it is really our own rational will that is doing the imposing, however much we as individuals may not find ourselves identified with the acts of the rational will), or we may find that it clashes with too many personal projects. Nonetheless, mutual respect, if left to this basis, would depend on others consciously adopting that principle as a maxim, something that may or not happen. Moreover, to the extent that it is left up to individual conscience to decide the matter, it is less likely that it will get done for a variety of reasons. Finally, the structure of this mutual respect is always threatening to unravel into a schism between the personal and the impersonal point of view.

Political community and the common life

There must be a further determinateness in the "social space" that structures the self-consciousness of these agents if such contingencies are to be avoided and if the form of life in civil society itself is even to be possible. This further determinateness must consist in a set of reasons that license a further identification with the other individuals of one's community. In order for the

administration of justice and the orderly workings of civil society to be possible, there must be a further set of inferences having to do with the ethical status of the others in the community. In civil society, others are fundamentally means to one's own projects. Even in the corporations – the “second families” of civil society – the motive remains one of mutual dependency, of each furthering the ends of the others. Even though the corporation manages to motivate the individual, however unwittingly and unconsciously, into incorporating at least part of the public welfare into his own private projects (and thus serves as a form of *Bildung*), the fundamental bond there nonetheless remains that of cooperation for mutual benefit. Even in the best ordered of civil societies, where people find genuine identification with their estates and corporations, the conflict of interests is always there, and it is entirely fortuitous if for some reason, all interests happen to coincide. For it to be possible for civil society to be a genuine ethical end, therefore, there must be more to “social space” than just a collection of families and a civil society composed of families, individuals, estates, corporations, and a set of legal institutions for administering the law and various public works. There must be a deeper ethical community, which Hegel, interestingly enough, calls the *state*.⁹²

The Hegelian conception of a state is that of a social and political form of life that secures for its members a certain type of self-consciousness and that makes the other forms of social and political life possible as realizations of freedom. Self-consciousness is minimally the assumption of a position in “social space,” and human *organisms* become *agents* when they are socialized through various processes of *Bildung* – education, formation, and cultivation – into assuming positions in such a “social space.” The *state* is the name for that set of norms (of what Hegel calls *Recht*) that license various moves within a “social space” that enables the people assuming these positions to see each other as co-members of a type of *political* community. A political community is a group of people sharing a *common life* – that is, a common constitutive set of basic principles that are defining for their self-identity. Politics is fundamentally about this common life, or shared self-identity; it is about where the limits of our self-identities overlap. It is this common life that makes the unities of family and civil society possible as ethical ends, as realizations of freedom. Families and civil societies without such a state could obviously exist, but the people in them could not be said to be genuinely free, since there would be an overarching type of alienation that each would experience vis à vis others in that community. In the Hegelian conception, the “problem” of the state is thus the issue of what *kind of common life* satisfies the demands of reason for coherence and consistency and that thereby realizes the freedom of its members – or, to put it more concretely, of what the rational and proper domain of politics is. (After all, the most difficult issue in all politics is how far down politics goes into people's lives.)

The Hegelian conception of the state is therefore that of an ethical (*sittliche*) community that underlies the social institutions of the family and civil society, which is, in Hegel's metaphor, their “substance” – that part of “social

space" that constitutes a people as a political community and that resolves the contradictions in the "social space" that constitutes the modern family and civil society. (Indeed, it is probably overly contentious on Hegel's part to use the term "state" here at all to make his point. "Political society" or "political community" would better capture the point he is trying to make.⁹³ I shall nonetheless continue for the most part to use Hegel's term, "state.") The state is different from the family, which is also a unity of shared self-identity. The unity of the family is based on love and affection; the unity of the state is a unity of common projects and principles. To the extent that these are projects and principles of a genuine state, however, they make up the "social space" of the agents in question, and they are thus not projects and principles imposed on the agents from the outside, something indifferent to their understanding of who they are. As such the state is best expressed as that *common point of view* in terms of which people see their lives. As a common point of view, it unites the subjective (the personal) and the objective (the impersonal) points of view. The individual sees his own life in terms of these projects and principles, and, in taking an objective look toward things, he can see these personal principles as being justified.

This is a conception of the state in terms of its *legitimacy*, not in terms of how historically it came about. Hegel's comments show how aware he is of the multifarious and usually violent origins of the modern state. The issue is not how the state came to be but whether it can claim any legitimacy in the face of its members. The legitimacy of the state has two sides: (1) The legitimacy of any particular state lies in its being a satisfactory expression of the underlying principles uniting a political community; (2) the legitimacy of the modern state lies in its being a form of life that enables a coherent and consistent self-understanding to be articulated, in its satisfactorily resolving the kinds of contradictions that would otherwise be present in the associations of families and in civil society such that freedom as self-determination can be realized. The state, as a form of political community, therefore has certain functions of *Bildung* (of education, formation, and cultivation) to produce and sustain a certain general *type* of character who is capable of sustaining the modern family and the institutions of civil society: who sees the family as embedded in a set of larger social projects, and who sees the private projects of civil society as embedded in a larger public "social space." Without an adequate form of political community, of shared identity, the individual would be withdrawn out of public life and into himself; he would become "egoistic," seeing all his projects as only his *private* projects, and the overall norm (*Recht*) of freedom could not be realized in any satisfactory form.

For the norm of freedom to be satisfactorily realized, it must be such that individuals can identify with the activities required of them in their private and public lives, and their activities must have a certain clarity of public meaning for them so that they can understand what they are doing and why they are doing it. All this is possible only if there is a common point of view, a kind of common political culture, that makes such clarity and self-identification possible. The complexity of modern life brings along with it a

certain amount of self-reflectivity; the social practices of modern life require self-distancing moral reflection and the modern economy requires a good measure of private self-seeking, of reflective calculation of what is to one's own benefit. For individuals to be genuinely free in such circumstances, they must be able to understand the norms structuring their own activities as not being something unintelligibly imposed on them by some alien body or external forces such that they cannot understand them and cannot identify with them. For that to be possible, it must be possible for them as modern *self-conscious* agents to be able to give *accounts* to themselves of the relation between their private and their public lives – or, put more loosely, to be able to tell themselves various intelligible stories about who they are and what they are doing. They must be able to give themselves and others various explanations and explications of what they are doing that make their actions intelligible to themselves such that they can be said to understand what they are doing and to identify with it. These kinds of accounts need not, of course, be full-fledged philosophical accounts; they can be evidenced in certain types of behavior, in certain religious rituals, be embodied in certain works of art and so on. Only in the common point of view embodied in a type of public, political culture – in the political community, what Hegel calls the *state* – are individuals provided with the resources for those types of accounts, with ways of making sense of their lives as familial and private (civil society) individuals. Without that type of public account, the unities of civil society in particular threaten to separate, since the only “publicly” available account within the structure of civil society itself is that of cooperation for mutual self-interest. Civil society on its own cannot be self-sustaining *as a realization* of freedom, even though it might be self-sustaining as a form of (alienated) life. Or, to put it in Hegel's terms, civil society cannot be sustainable as a form of rational self-consciousness. In this sense, a certain type of “state,” of political community, makes the family and civil society possible as a rational, non-alienated form of life; it makes them possible as “ethical ends,” as realizations of freedom, as social and personal projects with which individuals identify.

The institutions of modern political life

The expression of the political community's (the state's) unity is its *constitution*, which can be written or unwritten. If written, however, its legitimacy as a binding political document consists in its being an adequate expression of the *genuine* constitution of a people – namely, that common point of view that defines their lives together. As such a common point of view, the constitution of a state can never be created *ex nihilo* by a people. Indeed, a people without a constitution would not be “a” people; it would be only a disconnected mass of individuals sharing no common point of view (or sharing one only contingently).⁹⁴ In this sense, a constitution can also never be imposed on a people. There is, of course, nothing impossible in imposing a written document specifying certain rights, duties and a structure of government on a

people. However, such a constitution could only fortuitously have legitimacy for the people on whom it was imposed. Unless it quite serendipitously captured a sense of who they were, it would be a document that required actions and policies from which the citizens would be fully alienated. They might even be able to see those actions as “justified” in some appropriately “objective” fashion, but they could not find *themselves* “in” the actions they were required to take on the basis of that constitution. A written document that does not express the genuine constitution of a people can only lead to alienation on the part of the people and ultimately, in practical terms, to its own decay and dissolution.⁹⁵

It is in this sense and only in this sense that the state in its constitutional order can be seen as the will of the people.⁹⁶ The Hegelian concern with the constitution must therefore be with the kinds of *political institutions* that have developed in modern life that can be understood to legitimately fulfill the teleology of ethical ends. That is, if the state is to be seen as that common point of view that makes a people into a political community, and the constitution is the organization of that state into public “ethical” principles and political institutions, then the concrete issue for the modern state has to do with *which* existing political institutions may be seen to rationally support and express the criteria for something’s being an ethical end. This is, again, not a question of “what works” or what means best fulfill an independently specifiable end; it is a question of what political institutions best fit the unity of the personal and the impersonal points of view such that individuals in assuming that unified view can act in a non-alienated fashion, can be “with themselves.” The legitimacy of these political institutions does not lie in their efficiency or even in their ancestry – not, that is, in their being some part of a “tradition” as some communitarians like to think.⁹⁷ It is in their formulating and expressing a coherent rational modern self-identity for the citizens of these states.

The political institutions – the institutions of government – for which Hegel argues are somewhat familiar to modern eyes. What is different is Hegel’s ethical justification for them as embodiments of a determinate form of communal and personal self-understanding and as realizing the central norm of freedom. Hegel argues, for example, for a separation of powers that he says is a guarantee of the freedoms of the citizenry. However, to understand the justification of the separation of powers in terms of some pragmatic solution such as a system of “checks and balances” would be to overlook the basis of their legitimacy. We do not separate the powers so that each blocks the other; that would make the legitimacy of the separation of powers depend on contingent assumptions about corruption, about who happens to be in office and so on. The real point, he argues, is for the distinct functions of modern social and political life to be recognized and expressed. To fail to separate the powers would be to fail to insure that the various functions of modern political life are properly fulfilled.⁹⁸ The issue is not to pitch the representatives of the powers against each other so that we onlookers can experience a certain bit of *Schadenfreude* over watching the hapless govern-

ment officials thwart each other's ambitions.⁹⁹ It is to insure that the functions of modern social life are carried out in a rational fashion. Thus, Hegel worries about the independent specification of the powers, not with whether in practice one spills over into another (as in the American example, in which the executive, the president, plays a partially legislative role). The important point is that the powers be understood as separate distinct powers and that distinct institutional support be there so as to see that those powers are fulfilled. Those powers, he argues, are those of the legislative, the executive, and the crown.

The crown, Hegel argues, should only be a constitutional monarch in something like the English fashion, simply dotting the i's on already finished legislation. However, in keeping with the principles of modern life, the monarchy's own legitimacy rests on the monarch's respecting the self-understandings present in civil society and (in Frederick the Great's self-description) being merely a "servant of the state." It is quite clear that absolute monarchy (which Frederick the Great nonetheless himself represented) is out of the question in modern life. The necessity of monarchy for Hegel (as opposed, for example, to a presidential system) lies in the crucial symbolic role that the monarch plays in the modern state: The monarch represents the political community in a clear, intuitive way, and the rituals attendant to monarchy give the citizens a kind of account of who they are that is much more "immediate" than any philosophical account could be. The modern state is, after all, complex, bureaucratic, and is not something that automatically inspires either loyalty or identification with it. Hence, allegiance to it must be mediated in a rational way, and the monarch offers a concrete symbol of the state toward whom such allegiance can be focused. In focusing on this symbolic role of the monarchy, Hegel notably omits discussion of the other important way in which modern states could promote identification on the part of their citizenry – namely, through nationalistic sentiment. Hegel's disregard for nationalism as a way of underwriting allegiance to the modern state is based on his view that citizenship in the modern state cannot be predicated on subscribing to a particular religious or ethnic commitment or to any such analogous commitments, a view that itself is the historical outcome of the French Revolution (the American Revolution apparently playing no substantial role in Hegel's imagination on this matter).¹⁰⁰ It also has no doubt to do with his aversion to the kinds of irrationalities involved in nationalism, since it predicates membership in the political community on features that have little to do with freedom and self-consciousness – with modern "spirit" – so much as it concerns itself with external, "natural" characteristics, such as ethnicity.¹⁰¹ Constitutional monarchy for Hegel is important as a bulwark against those tendencies that make identification with the political community purely a matter of nationalistic "feeling" and not of rational self-consciousness.

Whatever form the political institutions of the modern political community take, they must be consistent with the set of self-understandings essential to the modern companionate family and to civil society so that they can satisfy

the general norm of freedom which structures modern political communities. A *legitimate* modern state, therefore, may not violate these conditions, not because they express independently existing moral rights that individuals bring with them prior to all social organization, but because of the internal necessities of consistency and coherence with modern self-consciousness. Put another way: It is the requirements of "spirit," of the determinate modern community's self-consciousness and the kinds of accounts it can give itself of what counts for it as an authoritative set of reasons that puts limits on what the state in its *institutional, governmental* functions may and may not do. It is the appeal to the internal rationality of modern life and what is necessary to realize the principle of freedom that underlies the modern insistence on constitutionally protected rights; such ideas cannot rest on any appeal to a "human nature" or to any set of independently existing "values" for their support. For these reasons, Hegel endorses various forms of pluralism and quite obviously supports universal citizenship; in opposition to the prevailing Prussian mores of his time, he held, for example, that Jews should be given full civil rights in any modern state since excluding Jews from full citizenship was inconsistent with the principles of the modern state.¹⁰² Nor does Hegel justify freedom of speech and the press on any kind of appeal to the "marketplace of ideas." (If anything, he has great scorn for such a marketplace, noting that public opinion "deserves to be as much respected as despised."¹⁰³) Freedom of the press and of speech is justified because modern citizens cannot continue to regard themselves as autonomous and at the same time as permitting officials of the state decide for them what they may hear, read, and say. At another point in history, when people had a different self-understanding, freedom of speech would have been unthinkable; in modern life, being without it is inconceivable.

It is not surprising that Hegel argues that modern life requires some system of representative government; it is a little more surprising, however, that Hegel does not argue that it requires democracy. (Failure to look at Hegel's arguments for this have helped to perpetuate the myth that his political philosophy was authoritarian and reactionary even for his own time and hence not deserving a closer look.¹⁰⁴) The argument for representative government takes the same form as the arguments for the necessity of the other basic political institutions. It is justified neither by a pragmatic argument that it is necessary to make things work, nor by arguments of efficiency, nor by appeals to anything like natural rights or any set of transcendent values. Instead, more or less existing institutions (although Prussia in Hegel's day had no representative government) are reconstructed so as to show how they can be seen to be logical implications of a certain form of communal self-understanding.

The state is the political organization of a people; the modern state is a political organization of modern families and civil society. As such, its government must have representative institutions, since the kind of agents who constitute the members of civil society will not find it intelligible that, for example, the funds for the running of the state should be taken from them

without their having some say in the matter. The modern bourgeois who takes care of his own personal finances and creates new capital will not be in a position to understand it as being rational that he simply hand over his taxes to the officials of the government; a medieval merchant or a feudal lord, on the other hand, living in a non-market oriented economy, might have no such scruples.

The issue is what form this representation is to take. The government is a distinct institution to further the aims of the political community. As such, it is a particular body of people, and there is always the temptation to see it as a particular entity over and against other particular people or against "civil society" taken as a whole. The institution of representation in government is the way in which the government as a *particular* body of people is mediated with the bodies of civil society such that the *political community* (the state) of civil society is maintained. Representation is thus not some stopgap measure to make sure government works; it is a moment of the ethical end that is the state (the political community), and its legitimacy lies solely in its role in maintaining the coherence and consistency of this modern form of "social space" – that is, in the way it realizes the modern principle of freedom. Representative government mediates between the private freedoms of civil society and the common point of view that is the political community (the state). As such it follows that the function and goal of representative government for such a modern state must be both to formulate and to express the common point of view; the workings of representative government must therefore be to prevent merely the voicing of many private opinions and to encourage the formation of this common point of view. That is, out of the many different basic interests of civil society, a common interest must be formed that is consistent with the self-understanding of the political community.

Hegel's argument against democracy – or at least against universal suffrage as a means of choosing the representatives – is the following. In a system of universal suffrage, it is a contingent matter if one's interests are represented. It is contingent in that it is fully dependent on there being a majority of people on your side. If you happen to find yourself and your group in the minority, you are then excluded from representation, no matter how important or basic your interests are to the political community. You are therefore voiceless. It is moreover the case that an individual's vote will count for little. It is therefore necessary to insure that all basic points of view are represented in the body that is to form and express the common point of view. At best, using universal suffrage to immediately determine the delegates can do that only fortuitously. Some institutional support must therefore be found for insuring that basic interests are represented. One way to do this is to have a system of representation that gives a certain number of places to the various estates and the various corporations. Since it has already been shown (if one accepts Hegel's arguments) that the individuals of civil society living in a system of mutual dependency would be rationally required to organize themselves into estates and corporations, then the only institutional setup that

would be consistent with such a form of social life and self-understanding would be some type of an assembly of the estates.¹⁰⁵ (Hegel has very specific proposals for a bicameral system, but even he seems to acknowledge that such a system is not strictly required by modern political communities – it is a pragmatic setup that is nonetheless consistent with them.) Hegel's point, very generally put, is that once one has accepted the principle of representation, one must find some kind of institutional setup such that the basic interests in society are indeed represented. Universal suffrage on its own, without assistance from any other mediating institutions, cannot be the properly representative institution.

4. The final stage of political history, the teleology of modern life, and absolute spirit's coda

The "end of history"?

On the one hand, Hegel's treatment of modern bourgeois social and political life is not a treatment of any *actual* social arrangement. For example, the Prussian state, on which Hegel late in his life had come to place such hope, was a state lacking in the representative institutions of the type that he thought to be necessary. Hegel's appraisal of modern bourgeois life is thus a theory of what is *possible* for modern bourgeois life, although it is nonetheless a theory based on *actually* existing institutions. In some ways, what Hegel has tried to show is that if one combined certain institutions from contemporary England, France, and Germany (along with the reinvigoration of some already deteriorated institutions, such as the *Korporationen* and the Estates), then one would actually arrive at a coherent form of modern life. This is not the depiction of some distant, theoretical ideal, for it is based on actually existing institutions; but it is also not the description of any single existing state (nor is it thus the *ex post facto* justification of any particular existing state). It takes various existing institutions of modern life and shows how an existing state could reform itself into more of an image of the ideal modern state.

However, although it only sketches the *possibility* in this sense of an adequately realized form of modern life, it does seem to suggest that there is little room for any conceptual improvement in its essential structure. The essential structure of modern life is such that it reconciles the subjective point of view and the objective point of view in a way that no previous form of life could do and it provides for a realization of freedom by giving individuals ends that they can will with full self-consciousness and with which they can identify. Whereas the *Phenomenology of Spirit* (1807) could only see a redeemed and non-alienated form of life in the reconciliatory institutions of art, religion and philosophy, the scheme presented in the much later *Philosophy of Right* (1821) fulfills part of the promise of the *Phenomenology* by its presentation of a concrete idealist theory of modern social institutions and ethical life that goes beyond a merely moral critique of institutions. Particular individuals –

such as utopians and romantic reactionaries – may feel the structure of modern life to be without justification and to long for something better (for example, for an idealized Christian medieval past or for an aesthetically more satisfying future), but if the possibilities of modern life were to be realized, we would have to evaluate this continuing alienation on their part as more a function of their own personal pathology rather than anything inherent in the structure of modern life itself. The “unhappy consciousness” – the way in which an entire form of life can find itself unjustified without its being able to envision any alternative to itself – can therefore for the Hegelian only be a contingent appearance among isolated individuals in modern life. Modern life in principle unites the two points of view such that people in acting on the basis of the “social space” of modern life need run into no essential contradictions in the structure of their agency. In their actions based on the rationality of this “social space,” they may therefore be “at home with themselves,” be fully identified with their actions. Modern life, properly understood, offers the actuality of the kind of reconciliation sketched at the end of the *Phenomenology of Spirit*: The participants in modern life see the determinateness of their subjectivity as coming not from any metaphysical structure or entity outside them but from the free-standing structure of their practices in such a way they can reconcile themselves to the social life around them because they identify with it.¹⁰⁶ Moreover, they come to inhabit a “social space” that is free from any essential contradictions, such that the essential alienation endured by the agents of the past is not present for them. Alienation for the moderns need be only a personal, idiosyncratic problem, not a problem of the irrationality of “social space” itself.

This conception of the potential internal coherence of bourgeois social and political life led Hegel to one of his most controversial and least understood theses, that having to do with the final stage of history (sometimes called the “end of history”).¹⁰⁷ The reason for the lack of understanding is easy to see. More than any other part of Hegel's system, it gives the appearance of ascribing the movement of history to a metaphysical ground (usually taken to be God) that is causing the movement of history to go in a particular direction. It looks, that is, as if in his mature philosophy of history Hegel is claiming to have discovered some kind of special causal force in history – namely, spirit's push to come to a full self-consciousness – and to have created a new “science of history” that studies this special causal force.

Hegel's point is, of course, nothing of the sort. His mature philosophy of history, sketched at the end of the published *Philosophy of Right* and elaborated at length in his lectures in Berlin, is a reconstruction of the history of political communities (states). His point is that the narrative of the history of *political communities* has come to an end; it is a *story* that is over. The mature philosophy of history thus extends the kind of philosophical history that he practiced in the *Phenomenology of Spirit*. The kind of history practiced in the *Phenomenology* concerned how we came to be the people for whom something like the *Phenomenology* itself and the mature “system” could come to be on the conceptual menu. It was a reconstruction of the historical insufficien-

cies of various basic forms of “social space” such that it could be shown how one form of life may be seen to be the resolution of the kinds of problems that arose in an earlier form of life when it attempted to answer those skeptical objections it generated from within its own terms.

This is not a causal account of history; the account of the various social forces and contingent events that lead to the actual breakdown of one form of life and its domination or replacement by another is a topic for the historians, not the philosophers of history. *Philosophical* history is concerned not with what caused one form of life to supplant another (what caused Rome to supplant Greece) but with the ways in which what a later form of life takes to be authoritative for itself can be understood only in terms of how it came to see the accounts given by earlier forms of life as insufficient. It is not as if one form of life is *fated* to be replaced by another (as if a “scientific historian” with the right “predictive apparatus” living near the end of the Greek period could predict the rise of Rome and what its structures would look like). Some forms of life, for completely contingent reasons, come to have a certain structure and, for completely contingent reasons, come to exercise dominance during a certain period. What is of philosophical interest is not the contingent ways in which one form of life succeeds another but with whether one form of life may be seen as a *rational* successor to earlier forms, such that the passage from one to the other can be seen as fulfilling a certain teleology, that is, such that the former can be seen to be *completed* by the latter. The insufficiencies in the various types of reason-giving activities can be seen to be overcome in the accounts of reason-giving in the reflective institutions of the latter. Something is a rational successor as opposed to a mere replacement if it can in this way be seen to *complete* the former stage, to remove some of the internal contradictions and incoherences, to create a different “social space” in which those basic contradictions are removed; it completes the earlier form of life in that its accounts of what counts for it as authoritative reasons for belief and action may be seen to answer the kinds of skeptical objections that were internally generated out of the earlier form of life’s accounts of what counted as authoritative reasons for it. When a form of life develops a certain set of reflective practices, such as occurred in ancient Greece, it generates a skepticism about its own practices and its own accounts of what counts for it as authoritative; these skeptical doubts are the self-generated “negations” of the accounts they had given themselves, and they motivate that form of life to try to reassure itself that what it has taken as authoritative is indeed true, is well founded. In trying to reassure itself, a form of life will deploy a set of strategies and new accounts. If they succeed in offering a satisfactory reply that allays these doubts, they *renew* their form of life; if they fail, then there is a breakdown of the reason-giving activity. In those cases, that form of life gradually ceases to have faith in what it is doing: its members become alienated and develop into what Hegel calls the “unhappy consciousness” and what Kierkegaard later simply called “despair”. Once in despair, a form of life finds that its institutions and practices can no longer claim the allegiance of its participants; the agents can no longer understand what they are doing,

they cannot find themselves "at home" in those institutions and therefore they cease to be free. This kind of breakdown of a form of life – its descent into despair – itself can then only be made good by the generation of new types of accounts whose internal aims are consistent with what the old account *actually* accomplished (which, for example, is what the Roman form of life does with Greek culture); or new accounts whose internal new aims supersede the old aims by including them as components of itself (which, for example, is what early European culture did with the older Roman form of life).

It is thus a contingent fact that the Romans came to possess a certain military spirit and technology that allowed them to triumph over neighboring tribes; it is a contingent fact that Roman life had such and such a structure so that it was able to absorb Greek culture and transform it into Roman folkways as it did. It is of normative significance if the formation and political success of Roman life, contingently brought about as it was, can be understood to be, in Hegel's terms, the "truth" of Greek life in the sense that what the Romans came to take as authoritative reasons could be seen to resolve the kinds of skeptical discrediting that the Greeks had generated for themselves. The alienation that the Greeks generated for themselves was made into a constitutive element of the Roman form of life. This "negativity" of the dialectic in history can only be grasped in a retrospective normative reconstruction of history. From the historian's point of view, what happened in the passage from Greece to Rome involved complex social forces, striking personalities, bloodshed and large elements of good and bad luck. From the dialectical point of view, what happened in the passage from Greece to Rome was the conceptual move from an immediate form of ethical life to an alienated form of life based on abstract rights and held together only by force – that is, from one form of reason-giving and account-giving that could not sustain itself in its own terms and that found itself replaced by another form of reason-giving and account-giving that could claim to be the better account of what the first form of life had been up to all along.

The *Phenomenology*, however, only studied how *we* moderns came to be the people who were in a position to reconstruct our past so that it made sense as a movement from one form of "social space" to another. The "we" of the *Phenomenology* is only the "we" of modern European culture. The history of political communities per se, however, must be a larger task. There are other political communities in the world besides the Western political community. Hegel thereby came to realize that for his project to be able to make the claims he made for it, he would have to answer two questions: (1) Is it possible to compare our political communities with those of other traditions? (2) Might a philosophical reconstruction of, say, East Asian history yield another incompatible set of such successions of one form of life by another? Could it be that by the standards inherent in East Asian history, one form of life (for example, China under the Sung) could be seen to be the rational successor to another form of life (for example, China under the Ming, with the Yuan period in between being philosophically insignificant), yet could it also be that the standards that allow us to say that the Ming "completes" the Sung themselves

would be *internal* to the development of Chinese history while being *external* to our own history? Or, can the forms of social and political organization of the modern West in fact be said to complete the teleology of even Chinese (and all other) history? Can the “we” of this type of reflection be rationally extended to all of humanity?

Hegel thus came to see that he needed a universal or world history if he was to be able to make his claims about the absolute, self-grounding structure of modern life work. His mature lectures therefore dealt with the history of whole world, not just the history of the West. The historical elements of his mature, Berlin lectures on world history, art, religion, and philosophy extended his phenomenology from being that of only the phenomenology of the West to being that of the phenomenology of the whole human community. The later historical parts of the mature system, presented in lectures but not published by Hegel himself, were thus conceptual extensions of the phenomenology practiced earlier, with the restriction being that they only concerned the reason-giving activities of parts of “spirit” overall (for example, the history of “objective spirit” – that is, political communities). Hegel came to see the issue as concerning whether it was possible to reconstruct world history so that it could be seen to be a development of an understanding of how social and political life may be embodied in institutions organized around the expression and development of freedom, or self-determination. He argued that in fact such a reconstruction could be done. In his famous shorthand for the progress of world history, he says, “The East knew and to the present day knows only that one is free; the Greek and Roman world, that some are free; the Germanic world knows that all are free.”¹⁰⁸ That is, the development of world history could be rationally reconstructed as a story of the progressive realization of the social conditions for the full equality of freedom in a way that would show the development of a certain type of rationality and determinate form of self-consciousness to be completing what was lacking in all the cultural projects of the world.¹⁰⁹

Hegel’s frequently misunderstood talk of the “world spirit’s” directing history for “its own ends” is not a nod on his part to some metaphysical supervisor directing the entire drama of history from off stage. The “world spirit” is just the human community taken as a whole, seen from the standpoint of humanity’s gradually coming to terms with itself through its developing sets of social and political institutions which in retrospect can be reconstructed as gradual developments of a kind of rational understanding of what is essentially involved in social and political life. This dialectical reconstruction of the past shows that at certain times, certain determinate human communities play the role of the *avant garde* in this development. What leads a community into this status of being the *avant garde* is itself also based on contingent reasons. Rome does not enter the scene *in order* to complete Greece, but in the retrospective viewpoint given by dialectical history, it comes to be seen as having completed Greece. This is what makes some events and not others in world history crucial to this development of human self-understanding. The criterion for what counts as a world-historical event consists in its playing a

decisive role in the *story* of the rise of freedom. The usurpation of the Roman empire by the Christian barbarians, Luther's nailing his theses to the doors of the Wittenberg church, the French Revolution and other such events are of world-historical importance only because they contingently contributed to the establishment of new social and political conditions that "we moderns" (their successors) can in retrospect see as having produced a form of human self-understanding that is better able to account for itself than its predecessors. But this is important *only* for this kind of dialectical history. From a more purely historical viewpoint, other events may be significant that for a philosophical history are of no importance. The clashes between Bourbons and Hapsburgs are no doubt of some importance in understanding much of early modern European history, but from the viewpoint of dialectical history, they may only be a sideshow. Hegel sometimes speaks of the "world spirit's" moving from one place to another (from Greece to Rome to the Germanic peoples); he means by this only that whatever contingently developed institutions and self-understandings characterizing that form of life enable it to play the role of the avant garde vis-à-vis the understanding of political freedom at that period in time. Forms of life do not construct themselves in order to play this role; they simply find themselves in that role. We cannot ascribe any great wisdom or foresight to the Romans or to the early emperors of the later (humorously misnamed) Holy Roman Empire; they simply did what they had to do, given their form of life, and if they play crucial roles in world history, it is because their contingently acquired attributes enabled them to play a role that we, living much later, can reconstruct so that their roles can be understood as having completed a certain conceptual development.

Hegel's claim about the final stage of history is thus neither a metaphysical nor a theological, quasi-eschatological thesis. It is rather the view that insofar as the conceptualization of freedom is concerned, European modern life has reached a point at which there seems to be nothing in principle left to be developed. A modern constitutional state with representative political institutions, based on a market society with the appropriate mediating institutions and a companionate familial structure embodies for political communities what the *Phenomenology of Spirit* promised: a non-metaphysical, non-alienated, reconciled form of life.

Modern life thus *completes* the development of political history. It does this not by actualizing any "human essence" or by finally living up to some externally existing set of "values." Hegel's claims for the superiority of modern life are not like those of the early moderns who thought that mankind might finally achieve a form of social structure in harmony with its "nature."¹⁰ For the Hegelian, there can be no predetermined "nature" that could do this. The superiority of modern life consists in the rationality that it brings to spirit – that is, in achieving an internal coherence of a "social space" such that a form of life is achieved in which there is no cleft between the objective and the subjective point of view, in which the type of systemic alienation that had characterized past forms of life – namely, alienation as a reflection of the irrationality of "social space" – vanishes, and in which that form of life is able

to develop accounts of itself that can show to its members and to others that it is within its own terms fully intelligible and capable of explaining and justifying itself without internal incoherence. It thus counts as a realization of freedom, the “principle” of the modern world.

Did Hegel therefore argue for the “end of history,” as Alexandre Kojève argued that he did? In one sense, this seems like the only logical conclusion. If modern life in general and bourgeois social life in particular resolves the tension between the subjective and the objective points of view, and if that form of life is such that human agents living in it are finally reconciled with themselves, what more is to be done? For a Hegelian, there is one clear sense in which history, however, cannot be said to have come to an end. The Hegelian cannot rule out that future developments in political and social life may be such as to prompt some future Hegelianesque philosophers to find in *their* retrospective surmise of the world’s events a different teleology to be at work in the history of the world. For that to happen, though, either rationality itself would have to change in ways that show our current schemes of rationality to be only partial – that is, to be something to be completed by some future development in their social practices of criticism; or the practices that orient themselves around the central norm of modern life, freedom, would have to be shown to be self-undermining in such a way that they require some other set of practices that supported and expressed some different norm that made possible a form of rational self-consciousness for its participants. The Hegelian cannot rule that out, but if Hegel’s *Logic* is anything even like the rough outline of self-justifying thought, that prospect cannot be very likely. There is, nonetheless, some evidence that Hegel might have entertained the idea of history taking a different direction (even though he denied that we could predict what that trajectory might be).¹¹¹

Another possibility is that perhaps Hegel viewed the “end of history” in a similar way in which he viewed the “end of art.”¹¹² The phrases “end of history” and “end of art” do not actually occur in the Hegelian corpus, but Hegel does speak of a “final stage” in history and of art’s being a “thing of the past.”¹¹³ When Hegel says that art is a “thing of the past,” he is obviously not making a prediction to the effect that in a few years after, for example, 1828, there will be no further creation of works of art or that people will cease to care about them. Rather, it is the claim that art can no longer play the unifying central role in our common life that it once did, a claim that he also made somewhat obliquely in the *Phenomenology of Spirit*. Art is that social practice by which we reflect on the essential self-identities of our common life through the medium of various sensuous works (and not, like religion, through symbols and activities of communal service, or, like philosophy, through conceptual theories). Art is the “sensuous seeming of the idea” (*sinnliche Scheinen der Idee*). It has its heights, so Hegel argues, in Greek religion, because only in the Greek form of life is art uniquely suited to express the central truths of that form of life. With the advent of Christianity and the modern formation of the reflective self-determining agent, the “truths” of social life transcend the capabilities of art to represent them. The

standards of truth go beyond art, and it comes to be criticized by standards external to itself (for example, by religious standards in the Middle Ages, by moral, political and often purely subjective standards in more modern periods). The so-called "end of art" is the fate of artistic practice in a form of life centered on self-determining, reflective rational subjectivity. Other forms of reflection, such as philosophy and religion, make an equal if no greater claim to be manifesting the truths about who we are. In Hegel's view, only in Greek life is there a match between determinate form and determinate content in which the categories of beauty and divinity coincide. Thus, art is over only in the sense that it can no longer play the central role it once did. Greek life represents the completion of art. Later aesthetic developments cannot be seen as completions of what was lacking in Greek art, even though later forms of life can be seen as completions of what was lacking in Greek life.

Perhaps Hegel held a similar view of bourgeois life and political history; from time to time, he was known to make rather brooding comments about the structure of modern life, since he perceived quite clearly the existing and growing irrationalities of his time.¹¹⁴ The kind of teleology that the practitioner of dialectical history in retrospect can discover has nothing necessarily to do with how the future will turn out. The Hegelian system has no room in it for a conception of any kind of *fate* that could insure that things will always turn out to be more rational. Political history might be over in the sense that there could be no improvement in political life, but certainly nothing rules out the destruction of the possibilities of bourgeois life by some set of historically contingent events. Bourgeois life might well founder on some series of contingent happenings – the disruption of the supply of some basic type of resource, a fortuitously lost war, whatever – that would spell its end. The kind of teleology that shows in retrospect that the possibilities inherent in bourgeois life are the completion of a certain line of conceptual development in no way rules out what factually could happen to it in the future. It thus might be the case that this form of bourgeois life cannot for contingent reasons sustain itself. If so, then history will indeed go off in new directions, but these later directions would be declines from the high point of what bourgeois social life could have been (and implicitly already was), and they would signify the reintroduction of alienation into the human community. Future Hegelian philosophers could then only look back at that form of life in the same way that Hegel looked back on Greek art.

On the other hand, perhaps future Hegelian philosophers would look back not with nostalgia to nineteenth-century bourgeois life but instead with a regret about Hegel's misreading of some of the dynamics of modern life. He lived, after all, only at the beginning of the Industrial Revolution. The civil society he envisioned was populated with artisans and merchants, not with an industrial proletariat, international corporations, and the mechanization and routinization of work, and the form of the state that he championed did not base itself on nationalism. To put it somewhat prosaically: Hegel might simply have placed his hopes for the realization of freedom on the wrong set of institutions or on the wrong shape of those institutions. However, these

kinds of considerations need not discredit the Hegelian *project*, even though they do indicate that the full realization of freedom in history had not yet been accomplished either philosophically or socially in the mid-nineteenth century. Thus, for these future Hegelian philosophers, the “story” that Hegel assigns to political history may well indeed be *the* “story” for that history – that only the development of institutions in which “all” are free *could* complete that line of political development that although begun by the European community, extends out to the entire human community – but that “story” may not be over in the sense that the institutions and practices developed by the European community in the post-revolutionary era did not fully realize the norm of freedom. If, however, the “story” of political freedom is not yet over, then those other cultures which in Hegel’s own account had been shunted off to the sidelines as playing no essential role in the development of world history – for example, the Asian and African cultures – might turn out instead to have large speaking parts in that “story” after all. Future Hegelian philosophers might therefore take the project of the *Phenomenology* as still open and the “system” as only an incomplete guide to what yet needed to be done to complete that project.

The provisionality of Hegelianism

Yet a third possibility is that the Hegelian resolution of modern life’s problems was also conceived by Hegel himself as only provisional and qualified. In the introduction to the *Philosophy of Right*, for example, he notes that “philosophy too is its own time apprehended in thoughts” and that “[w]hen philosophy paints its grey in grey, then has a shape of life grown old . . . The owl of Minerva spreads its wings only with the falling of the dusk.”¹¹⁵ Although admittedly the sayings are cryptic and do not unambiguously specify any definite line of interpretation, they seem to indicate that Hegel himself believed that the kind of reconciliation that he thought modern life was in principle capable of achieving for itself in the middle of the nineteenth century could itself only be provisional; that the accounts that it gave itself would undermine themselves by failing to live up to their own objectives both because of internal difficulties and because of the way in which the dynamics of that form of life would bring about circumstances in which the aims and general purposes of certain institutions would become impossible to realize, even though he could not predict what form those insufficiencies would take. For example, the development of the patriarchal family under the conditions of increasing political equality, and the openness of the market to non-traditional participants, eventually undermines the patriarchal family’s own social possibility in ways that are already clearly foreshadowed in Hegel’s own time, even if he failed to see it himself. Indeed, Hegel’s own dialectical phenomenology would seem to indicate just that: The certification of any claim to knowledge or any assertion of a binding practical principle depends on the ways in which it answers to the historical insufficiencies of previous accounts; this points to the idea that any *allegedly* final account can itself only

be *provisionally* final, that it too must be expected to undermine itself as the conditions under which it is to be realized develop themselves (for example, that it will fail to accomplish the aims that it sets as definitive for whether it can count as a success). In that case, one could see the project of the realization of freedom as having been provisionally accomplished but the very terms of that project now calling for a new and different realization of freedom in different circumstances. Hegelian philosophy would then be the self-renewing account of what is reconciliatory in the modern world, of what institutions and practices can count as realizations of freedom, even if only provisionally and incompletely. (Hegel's own remarks about irony in the *Philosophy of Right* also hint at his belief in the provisional status of his solution.)

But if the project is still open in that way, then we need some account of what it would mean to talk about the way in which the project is indeed provisional and the ways therefore in which it might be completed. The project of realizing freedom in the modern world would have to take the form of a modern, rational *Sittlichkeit*, a set of institutions expressing and enabling a reflective, self-conscious sense of "the way things are done" within the social conditions of modern life itself, which itself should then reconcile modern agents with their world by providing a rationally justifiable set of common projects with which the participants in that form of life could both identify and could *understand* as being "right," as realizations of freedom. The political community itself, taken purely on its own, cannot resolve that issue of justification and intelligibility, for that requires a general reflection on whether modern life lives up to the terms it sets for itself. Although many of the various institutions of modern political life, such as general elections, can be seen as institutional supports and expressions for a kind of social self-reflection on who we are, these political reflections always take place against the background of an already taken-for-granted form of "ethical life," *Sittlichkeit*. That background of *Sittlichkeit* includes, for example, what we have come to count as authoritative reasons for granting authority to certain people, for why we think that engaging in certain forms of social activity is to be encouraged, why other engagements are to be frowned upon, with what appears to individuals as a calling and with what appears to them as entirely optional. *Political* community on its own cannot answer whether these taken-for-granted sets of reasons and reason-giving practices themselves can withstand the kinds of criticisms and reproaches that come from taking those practices at their word and drawing out what is implied in them, for although involved with reason-giving activities of a particular sort, political community is not the *kind* of practice in which those other practices and activities themselves come under criticism *as* practices. Political institutions (for example, a general election) offer us practices for reflecting on our collective self-identity but always as mediated through institutions such as the family, the economy, and the institutions of political life. As involved in such cooperative social life, we engage in a variety of reason-giving activities, ranging from the accounts we give of why a certain set of actions in the marketplace is justified

to the accounts we give of why certain child-rearing practices are in order. These kinds of accounts are mediated by the institutional and practical background – in our time, the modern “way we do things,” the modern *Sittlichkeit* – of our cooperative, social lives that seem to us like a “second nature,” the *commonsense* of our life, the things that seem to us as just *obvious*.¹¹⁶ In cooperative social life, we are acting, and we cannot be acting if we have to stop before each activity to give a fully articulated justified account of what we are doing. Commonsense and common political life have therefore only limited means within themselves for reflecting on whether they are capable of sustaining themselves in their own terms.

“The way we do things” in social and political life does not within itself offer any means for evaluating whether it itself can be sustained. For that, a more detached, impersonal point of view is required that is not compatible, so it would seem, with the exigencies of political action. This is not to argue that political action is or should be non-reflective; the practices of modern life in fact require it to be reflective and to be able to offer rational, public justifications for itself in terms of principles that are widely shared among the citizenry. It is only to say that the practice of giving reasons in the political realm will be necessarily unsatisfactory when viewed from the standards inherent in the modern practice of reflective religious practice, art, and philosophy. Nor is it at all clear how they could be “reformed” so as to include such things – to include, for example, genuine philosophical reflection as part of their institutional practice. Modern political life is indeed highly reflective; it involves far more than just accepting the way the community is structured and run, more, that is, than just acquiescing to assertions that certain practices simply are “the way things are done.” But modern political community cannot have within its practices a component that puts this kind of practice itself into question. The candidates for office, the functionaries of the political parties, the societal apparatus, and the bureaucrats who run the large institutions of modern life cannot be put in the position where in order to do the things they need to do they must be able to continually give a *genuinely* philosophical account of what it is that they are doing (as opposed to reciting the basic ideas that develop out of more or less socially accepted accounts, such as the idea of basic rights, of freedom to choose paths of life for oneself, and so on). Indeed, any attempt to reform modern, complex, bureaucratic institutions to incorporate genuinely philosophical reflection within them would most likely be disastrous, for it would inevitably not make the political institutions more philosophical but would instead degrade philosophical reflection into simply becoming an ideological prop for those practices.

That more detached form of reflection in modern life must be carried out within the three institutions in which “absolute knowing,” the final point of the *Phenomenology*, is realized as an ongoing social practice. “Absolute knowing” as institutionalized is what Hegel calls *absolute* spirit, the reflection on our basic self-identities in a completely free manner, independent of all external considerations about what is necessary for action. Absolute spirit in modern life is articulated into three distinct institutions: art, through which we

reflect on our basic self-identities through the aesthetic sensuous works or artifacts; religion, through which we reflect on who we are and what are our highest interests (on the divine in human life) through communal and personal rite and ritual; and philosophy, an enterprise nowadays mostly cordoned off to another relatively modern institution, the university, in which we reflect on what counts as authoritative reasons, what it means to give a reason, and what it means in general to be an agent who accepts certain things as authoritative for himself – on what it means to be the people who we have come to be and whether our current *accepted* practices and accounts *really can* offer authoritative reasons and accounts. In modern absolute spirit – genuinely modern art, religion, and philosophy – modern life partially fulfills the modern ideal of independence and self-determination and can show *whether* the terms in which it articulates itself can be vindicated vis à vis its predecessors and its alternatives. With its highly reflective social structures and internal complexity of bureaucracies and legal mechanisms, modern life requires a set of practices that allow its agents to step outside of the “second nature” of social life and to evaluate the ends of that life in terms of the self-chosen criteria of modern life itself. Past forms of life developed practices for accounting for the accounts that they gave themselves in everyday life. The late modern world, with its rapid communications, its ability to put more of the world in front of ordinary people on a daily basis, and its own self-awareness of itself as a historical phenomenon, requires a set of reflective practices different from those of the humdrum of daily cooperative life in the market. Only in what seems to be the detached and alienated institutions of the “absolute spirit” of late modernity – in its somewhat alienated art, in its modern religious institutions with their apparently peripheral involvement in everyday political life, and in its philosophy, nowadays safely professionalized into distinct departments with their own budget lines in universities – can the participants in modern life assume the impersonal point of view necessary for critically evaluating whether they are truly setting their own ends. These institutions have as their object the sustaining of a reflective practice which requires its agents to step back from the exigencies of political life in order to construct the requisitely *impersonal* point of view on the modern form of life, which if modern life is to be successful in its account of itself, should also be continuous with the *personal* point of view. If the practices of “absolute spirit” are successful in modern life, then its “products” should put the agents in a position to see their world and themselves for what they are.¹¹⁷

In absolute spirit, the “we” that is doing the reflecting is the “we” that is the object of the reflection, and, if Hegel’s account is correct, there should be a full continuity between the personal points of view that “we” take in our daily lives and impersonal point of view that “we” take in working within the practices of “absolute spirit.” The artifacts of the modern institutions of art, religion, and philosophy are modern life’s own reflections on whether “we” can find ourselves affirmed in those responses of modern institutions to the kinds of skeptical objections that come from its own reflections on its com-

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plex, bureaucratic, legalistic, rights-oriented, self-detached social and political life.

If modern “absolute spirit” (that is, the modern practices of art, religion, and philosophy) is that set of practices in which the self-renewing task of “absolute knowing” developed at the end of the *Phenomenology* is carried out, then by the Hegelian account of “absolute spirit” and modern life, the task of modern philosophy (as of modern art and modern religious life) will be to construct and evaluate those accounts of who we are and to continue to skeptically ask if – as the human community has done in the past – we aren’t just fooling ourselves again. Taken in this way, Hegelianism would be what Hegel intended it to be: not a finished “system” done once and for all in Prussia in the 1820s, but an ongoing series of dialectical reflections on the possibilities available to the human community such that we can see what kinds of self-identities are open to us and how we might in turn account for the people that we would be.

